THE ATLANTIC MONTHLY

JULY, 1912

GETTYSBURG

BY MARY JOHNSTON

THE sun of the first day of July rose serene into an azure sky where a few white clouds were floating. The light summer mist was dissipated; a morning wind, freshly sweet, rippled the corn and murmured in the green and lusty trees. The sunshine gilded Little Round Top and Big Round Top, gilded Culp's Hill and Cemetery Hill, gilded Oak Hill and Seminary Ridge. It flashed from the cupola of the Pennsylvania College. McPherson's Woods caught it on its topmost branches, and the trees of Peach Orchard. It trembled between the leaves, and flecked with golden petals Menchey's Spring and Spangler's Spring. It lay in sleepy lengths on the Emmitsburg Road. It struck the boulders of the Devil's Den; it made indescribably light and fine the shocked wheat in a wheat-field that drove into the green like a triangular golden wedge. Full in the centre of the rich landscape it made a shining mark, a golden bull's-eye, of the small town of Gettysburg.

It should have been all peace, that rich Pennsylvania landscape — a Dutch peace — a Quaker peace. Market wains and country folk should have moved upon the roads, and a boy, squirrel-hunting, should have been the most murderous thing in the Devil's Den. Corn-blades should have glistened, not bayonets; for the fluttering flags the farmers' wives should have been bleaching linen on the grass; for marching feet there should have risen the sound of the scythe in the wheat; for the groan of gun-wheels upon the roads the robin's song and the bob white's call.

The sun mounted. He was well above the tree-tops when the first shot was fired — Heth's brigade of A. P. Hill's corps encountering Buford's cavalry.

The sun went down the first day red behind the hills. He visited the islands of the Pacific, Nippon, and the Kingdom of Flowers, and India and Iran. He crowned Caucasus with gold, and showered largess over Europe. He reddened the waves of the Atlantic. He touched with his spear lighthouses and coast towns and the inland green land. He came up over torn orchard and trampled wheat-field; he came up over the Round Tops and Culp's Hill and Cemetery Hill. But no one, this second day, stopped to watch his rising. The battle-smoke hid him from the living upon the slopes and in all the fields.

The sun traveled from east to west, but no man on the shield of which Gettysburg was the boss saw him go down that second day. A thick smoke, like

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the wings of countless ravens, kept out the parting gleams. He went his way over the plains of the west and the Pacific and the Asian lands. He came over Europe and the Atlantic and made, on the third morning, bright pearl of the lighthouses, the surf, and the shore. The ripe July country welcomed him. But around Gettysburg his rising was not seen. The smoke had not dispersed. He rode on high, but all that third day he was seen far away and dim as through crêpe. All day he shone serene on other lands, but above this region he hung small and dim and remote like a tarnished, antique shield. Sometimes the drift of ravens' wings hid him quite. An incense mounted to him, a dark smell and a dark vapor.

The birds were gone from the trees, the cattle from the fields, the children from the lanes and the brookside. All left on the first day. There was a hollow between Round Top and Devil's Den, and into this the anxious farmers had driven and penned a herd of cattle. On the sunny, calm afternoon when they had done this they could not conceive that any battle would affect this hollow. Here the oxen, the cows, would be safe from chance bullet and from forager. But the farmers did not guess the might of that battle.

The stream of shells was directed against Round Top, but a number, black and heavy, rained into the hollow. A great milk-white ox was the first wounded. He lay with his side ripped open, a ghastly sight. Then a cow with calf was mangled, then a young steer had both fore-legs broken. Bellowing, the maddened herd rushed here and there, attacking the rough sides of the hollow. Death and panic were upon the slopes as well as at the bottom of the basin. A bursting shell killed and wounded a dozen at once. The air grew thick and black, and filled with the cries of these brutes.

A courier, returning to his general after delivering an order, had his horse shot beneath him. Disentangling himself, he went on, on foot, through a wood. He was intolerably thirsty — and lo, a spring! It was small and round and clear like a mirror, and as he knelt he saw his own face and thought, 'She would n't know me.' The minies were so continuously singing that he had ceased to heed them. He drank, then saw that he was reddening the water. He did not know when he had been wounded, but now, as he tried to rise, he grew so faint and cold that he knew that Death had met him. — There was moss and fern and a nodding white flower. It was not a bad place in which to die. In a pocket within his gray jacket he had a daguerreotype — a young and smiling face and form. His fingers were so nerveless now that it was hard to get the little velvet case out, and when it was out, it proved to be shattered, it and the picture within. The smiling face and form were all marred, unrecognizable. So small a thing, perhaps! — but it made the bitterness of this soldier's death. The splintered case in his hands, he died as goes to sleep a child who has been unjustly punished. His body sank deep among the fern, his chest heaved, he shook his head faintly, and then it dropped upon the moss, between the stems of the nodding white flower.

A long Confederate line left a hillside and crossed an open space of corn-field and orchard. Double quick it moved, under its banners, under the shells shrieking above. The guns changed range, and an iron flail struck the line. It wavered, wavered. A Federal line leaped a stone wall, and swept forward, under its banners, hurrahing. Midway of the wide open there was stretched beneath the murky sky a narrow web — woof of gray, warp of blue. The strip held while the heart beat a minute or

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more, then it parted. The blue edge went backward over the plain; the gray edge, after a moment, rushed after. '*Yaaaiihhh! Yaaaiiihhhh!*' it yelled, — and its red war-flag glowed like fire. The gray commander-in-chief watched from a hillside, a steady light in his eyes. Over against him on another hill, Meade, the blue general, likewise watched. To the South, across the distant Potomac, lay the vast, beleaguered Southern fortress. Its gate had opened; out had poured a vast sally party, a third of its bravest and best, and at the head the leader most trusted, most idolized. Out had rushed the Army of Northern Virginia. It had crossed the moat of the Potomac; it was here, on the beleaguer's ground.

Earth and heaven were shaking with the clangor of two shields. The sky was whirring and dim, but there might be imagined, suspended there, a huge balance — here the besiegers, here the fortress's best and bravest. Which would this day, or these days, tip the beam? Much hung upon that — all might be said to hang upon that. The waves on the plain rolled forward, rolled back, rolled forward. When the sun went down the first day the fortress's battle-flag was in the ascendant.

A great red barn was the headquarters of 'dear Dick Ewell.' He rode with Gordon and others at a gallop down a smoky road between stone fences. 'Wish Old Jackson was here!' he said. 'Wish Marse Robert had Old Jackson! This is the watershed, General Gordon — yes, sir! this is the watershed of the War! If it does n't still go right to-day — It seems to me that wall there's got a suspicious look —'

The wall in question promptly justified the suspicion. There came from behind it a volley that emptied gray saddles. Gordon heard the thud of the minie as it struck Old Dick. 'Are you hurt, sir? Are you hurt?'

'No, no, General! I'm not hurt. But if that ball had struck you, sir, we'd have had the trouble of carrying you off the field. I'm a whole lot better fixed than you for a fight! It don't hurt a mite to be shot in a wooden leg.'

Three gray soldiers lay behind a shock of wheat. They were young men, old school-mates. This wheat-shock marked the farthest point attained in a desperate charge made by their regiment against a larger force. It was one of those charges in which everybody sees that if a miracle happens it will be all right, and that if it does n't happen — It was one of those charges in which first an officer stands out, waving his sword, then a man or two follow him, then three or four more, then all waver back, only to start forth again, then others join, then the officer cries aloud, then, with a roar, the line springs forward and rushes over the field, in the cannon's mouth. Such had been the procedure in this charge. The miracle had not happened. — After a period of mere din as of ocean waves the three found themselves behind this heap of tarnished gold. When, gasping, they looked round, all their fellows had gone back; they saw them, a distant torn line, still holding the flag. Then a rack of smoke came between, hiding flag and all. The three seemed alone in the world. The wheat-ears made a low inner sound like reeds in quiet marshes. The smoke lifted just enough to let a muddy sunlight touch an acre of the dead.

'We've got,' said one of the young men, 'to get out of here. They'll be counter-charging in a minute.'

'O God! let them charge.'

'Harry, are you afraid —'

'Yes; I'm afraid — sick and afraid. O God, O God!'

The oldest of the three, moving his head very cautiously, looked round the wheat-shock. 'The Army of the

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Potomac's coming.' He rose to his knees, facing the other way. 'It's two hundred yards to the regiment. Well, we always won the races at the old Academy. I'll start, Tom, and then you follow, and then you, Harry, you come straight along!'

He rose to his feet, took the posture of a runner, drew a deep breath and started. Two yards from the shock a cannon ball sheared the head from the body. The body fell, jetting blood. The head bounded back within the shadow of the wheat-shock. Tom was already standing, bent like a bow. A curious sound came from his lips, he glanced aside, then ran. He ran as swiftly as an Indian, swiftly and well. The minie did not find him until he was half-way across the field. Then it did, and he threw up his arms and fell. Harry, on his hands and knees, turned from side to side an old, old face, bloodless and twisted. He heard the Army of the Potomac coming, and in front lay the corpses. He tried to get to his feet, but his joints were water, and there was a crowd of black atoms before his eyes. A sickness, a clamminess, a despair — and all in eternities. Then the sound swelled, and drove him as the cry of the hounds the hare. He ran, panting, but the charge now swallowed up the wheat-shock and came thundering on. In front were only the dead, piled at the foot of the wall of smoke. He still clutched his gun, and now, with a shrill cry, he stopped, turned, and stood at bay. He had hurt a hunter in the leg, before the blue muskets clubbed him down.

A regiment, after advancing a skirmish line, moved over broken and boulder-strewn ground to occupy a yet defended position. In front moved the colonel, half-turned toward his men, encouraging them in a rich and hearty voice. 'Come on, men! Come on, come on! You are all good harvesters, and the grain is ripe, the grain is ripe! Come on, every mother's son of you! Run now! just as though there were home and children up there! Come on! Come on!'

The regiment reached a line of flat boulders. There was a large flat one like an altar slab, that the colonel must spring upon and cross. Upon it, outstretched, face upward, in a pool of blood, lay a young figure, a lieutenant of skirmishers, killed a quarter of an hour ago. 'Come on! Come on!' shouted the colonel, his face turned to his men. 'Victory! To-night we'll write home about the victory!'

His foot felt for the top edge of the boulder. He sprang upon it, and faced with suddenness the young dead. The oncoming line saw him stand as if frozen, then with a stiff jerk up went the sword again. 'Come on! Come on!' he cried, and plunging from the boulder continued to mount the desired slope. His men, close behind him, also encountered the dead on the altar slab. 'Good God! It's Lieutenant — It's his son!' But in front the colonel's changed voice continued its crying: 'Come on! Come on! Come on!'

A stone wall, held by the gray, leaped fire, rattled and smoked. It did this at short intervals for a long while, a brigade of the enemy choosing to charge at like intervals. The gray's question was a question of ammunition. So long as the ammunition held out, so would they and the wall. They sent out foragers for cartridges. Four men having secured a quantity from an impatiently sympathetic reserve, heaped them in a blanket, made a large bundle, and slung it midway of a musket. One man took the butt, another the muzzle, and as they had to reckon with sharp-shooters going back, the remaining two marched in front. All double-quicked where the exposure was not extreme, and ran where it was. The echoing

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goal grew larger — as did also a clump of elms at right angles with the wall. Vanguard cocked his eye. 'Buzzards in those trees, boys — blue buzzards!'

Vanguard pitched forward as he spoke. The three ran on. Ten yards, and the man who had been second and was now first, was picked off. The two ran on, the cartridges between them. 'We're goners!' said the one, and the other nodded as he ran.

There was a gray battery somewhere in the smoke, and now by chance or intention it flung into the air a shell that shrieked its way straight to the clump of elms, and exploded in the round of leaf and branch. The sharp-shooters were stilled. 'Moses and the prophets!' said the runners. 'That's a last year's bird's nest!'

Altogether the foragers brought in ammunition enough to serve the gray wall's immediate purpose. It cracked and flamed for another while, and then the blue brigade ceased its charges and went elsewhere. It went thinned — oh, thinned! — in numbers. The gray waited a little for the smoke to lift, and then it mounted the wall. 'And the ground before us,' says a survivor, 'was the most heavenly blue!'

A battalion of artillery, thundering across a corner of the field, went into position upon a little hill-top. Facing it was Cemetery Hill and a tall and wide-arched gateway. This gateway, now clearly seen, now withdrawn behind a world of gray smoke, now showing a half arch, an angle, a span of the crest, exercised a fascination. The gunners, waiting for the word, watched it. 'Gate of Death, don't it look? — Gate of Death.' — 'Wonder what's beyond? — Yankees.' — 'But they ain't dead — they're alive and kicking.' — 'Now it's hidden — Gate of Death.' — 'This battle's going to lay over Sharpsburg — Over Gaines's Mill — Over Malvern Hill — Over Fredericksburg — Over Second Manassas — Over' — 'The — Gate's hidden — There's a battery over there going to open' — 'One? There's two, there's three —' *Cannoneers to your pieces!*

A shell dug into the earth and exploded. There was a heavy rain of dark earth. It pattered against all the pieces. It showered men and horses, and for a minute made a thick twilight of the air. 'Whew! the Earth's taking a hand! Anybody hurt?' *Howitzer, load!*

'Gate of Death's clear.'

An artillery lieutenant — Robert Stiles — acting as volunteer aide to Gordon, was to make his way across the battle-field with information for Edward Johnson. The ground was strewn with the dead, the air was a shrieking torrent of shot and shell. The aide and his horse thought only of the thing in hand — getting across that field, getting across with the order. The aide bent to the horse's neck; the horse laid himself to the ground and raced like a wild horse before a prairie fire. The aide thought of nothing; he was going to get the order there; for the rest his mind seemed as useless as a mirror with a curtain before it. Afterwards, however, when he had time to look he found in the mirror pictures enough. Among them was a picture of a battalion — Latimer's battalion. 'Never, before or after, did I see fifteen or twenty guns in such a condition of wreck and destruction as this battalion was! It had been hurled backward as it were by the very weight and impact of metal from the position it had occupied on the crest of a little ridge, into a saucer-shaped depression behind it; and such a scene as it presented — guns dismounted and disabled, carriages splintered and crushed, ammunition chests exploded, limbers upset, wounded horses plunging and kicking, dashing out the brains of men tangled in the

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harness; while cannoneers with pistols were crawling round through the wreck shooting the struggling horses to save the lives of the wounded men.'

Hood and his Texans and Law's Alabamians were trying to take Little Round Top. They drove out the line of sharp-shooters behind the stone wall girdling the height. Back went the blue, up the steeps, up to their second line, behind a long ledge of rock. Up and after went the gray. The tall boulders split the advance like the teeth of a comb; no alignment could be kept. The rocks formed defiles where only two or three could go abreast. The way was steep and horrible, and from above rained the bullets. Up went the gray, reinforced now by troops from McLaws' division; up they went and took the second line. Back and up went the blue to the bald and rocky crest, to their third line, a stronghold, indeed, and strongly held. Up and on came the gray, but it was as though the sky were raining lead. The gray fell like leaves in November when the winds howl around Round Top. Oh, the boulders! The blood on the boulders, making them slippery! Oh, the torn limbs of trees, falling so fast! The eyes smarted in the smoke; the voice choked in the throat. All men were hoarse with shouting.

Darkness and light went in flashes, but the battle-odor stayed, and the unutterable volume of sound. All the dogs of war were baying. The muscles strained, the foot mounted. Forward and up went the battle-flag, red ground and blue cross. Now the boulders were foes, and now they were shields. Men knelt behind them and fired upward. Officers laid aside their swords, took the muskets from the dead, knelt and fired. But the crest of Round Top darted lightnings — lightnings and bolts of leaden death. Death rained from Round Top, and the drops beat down the gray. Hood was badly hurt in the arm. Pender fell mortally wounded. Anderson was wounded. Semmes fell mortally hurt. Barksdale received here his death-wound. Amid the howl of the storm, in the leaden air, in scorching, in blood and pain and tumult and shouting, the small, unheeded disk of the sun touched the western rim of the earth.

A wounded man lay all night in Devil's Den. There were other wounded there, but the great boulders hid them from one another. This man lay in a rocky angle, upon the over-hanging lip of the place. Below him, smoke clung like a cerement to the far-flung earth. For a time smoke was about him, thick in his nostrils. For a time it hid the sky. But now all firing was stayed, the night was wheeling on, and the smoke lifted. Below, vague in the night-time, were seen flickering lights — torches, he knew, ambulances, litter-bearers, lifting, serving one in a hundred. They were far-away, scattered over the stricken field. They would not come up here to Devil's Den. He knew they would not come, and he watched them as the shipwrecked watch the sail upon the horizon that has not seen their signal, and that will not see it. He, shipwrecked here, had waved no cloth, but, idle as it was, he had tried to shout. His voice had fallen like a broken-winged bird. Now he lay, in a pool of his own blood, not greatly in pain, but dying. Presently he grew light-headed, though not so much so but that he knew that he was light-headed, and could from time to time reason with his condition. He was a reading man, and something of a thinker, and now his mind in its wanderings struck into all manner of by-paths.

For a time he thought that the field below was the field of Waterloo. He remembered seeing, while it was yet light, a farm-house, a distant cluster

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of buildings with a frightened air. 'La Belle Alliance,' he thought, 'or Hougoumont — which? — These Belgians planted a lot of wheat, and now there are red poppies all through it. — Where is Ney and his cavalry? — No, Stuart and his cavalry —' His mind righted for a moment. 'This is a long battle, and a long night. Come, Death! Come, Death!' The shadowy line of boulders became a line of Deaths, tall, draped figures bearing scythes. Three Deaths, then a giant hour-glass, then three Deaths, then the hour-glass. He stared, fascinated. 'Which scythe? The one that starts out of line — now if I can keep them still in line — just so long will I live!' He stared for a while, till the Deaths became boulders again and his fingers fell to playing with the thickening blood on the ground beside him. A meteor pierced the night — a white fireball thrown from the ramparts of the sky. He seemed to be rushing with it, rushing, rushing, rushing, — a rushing river. There was a heavy sound. A clear voice said in his ear, 'That was the last grain of sand in the hour-glass.' As his head sank back he saw again the line of Deaths, and the one that left the line.

Below, through the night, the wind that blew over the wheat-fields and the meadows, the orchards and the woods, was a moaning wind. It was a wind with a human voice.

Dawn came, but the guns smeared her translucence with black. The sun rose, but the ravens' wings hid him. Dull-red and sickly-copper was this day, hidden and smothered by dark wreaths. Many things happened in it; variation and change that cast a tendril toward the future.

Day drove on; sultry and loud and smoky. A squad of soldiers in a fence-corner, waiting for the order forward, exchanged opinions. 'Three days. We're going to fight forever — and ever — and ever.' — 'You may be. I ain't. I'm going to fight through to where there's peace —' '"Peace!" How do you spell it?' — '"They cry Peace! Peace! and there is no Peace!"' — 'D'ye reckon if one of us took a bucket and went over to that spring there, he'd be shot?' — 'Of course he would! Besides, where's the bucket?' — 'I've got a canteen' — 'I've got a cup' — 'Say, Sergeant, can we go?' — 'No. You'll be killed.' — 'I'd just as soon be killed as die of thirst! Besides a shell'll come plumping down directly and kill us anyhow —' 'Talk of something pleasant.' — 'Jim's caught a grasshopper! Poor little hoppergrass, you ought n't to be out here in this wide and wicked world! Let him go, Jim.' — 'How many killed and wounded do you reckon there are?' — 'Thirty thousand of us, and sixty thousand of them.' — 'I wish that smoke would lift so's we could see something!' — *Look out! Look out! Get out of this!*

Two men crawled away from the crater made by the shell. A heavy tussock of grass in their path stopped them. One rose to his knees, the other, who was wounded, took the posture of the dying Gaul in the Capitoline. 'Who are you?' said the one. 'I am Jim Dudley. Who are you?' — 'I — I did n't know you, Jim. I'm Randolph. — Well, we're all that's left.'

The dead horses lay upon this field one and two and three days in the furnace heat. They were fearful to see and there came from them a fetid odor. But the scream of the wounded horses was worse than the sight of the dead. There were many wounded horses. They lay in wood and field, in country lane and orchard. No man tended them, and they knew not what it was all about. To and fro and from side to side of the vast, cloud-wreathed Mars' Shield galloped the riderless horses.

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At one of the clock all the guns, blue and gray, opened in a cannonade that shook the leaves of distant trees. A smoke as of Vesuvius or Etna, sulphurous, pungent, clothed the region of battle. The air reverberated and the hills trembled. The roar was like the roar of the greatest cataract of a larger world, like the voice of a storm sent by the King of all the Genii. Amid its deep utterance the shout even of many men could not be heard.

Out from the ranks of the fortress's defenders rushed a gray, world-famous charge. It was a division charging — three brigades *en échelon* — five thousand men, led by a man with long auburn locks. Down a hill, across a rolling open, up an opposite slope, — half a mile in all, perhaps, — lay their road. Mars and Bellona may be figured in the air above it. It was a spectacle, that charge, fit to draw the fierce eyes and warm the gloomy souls of all the warrior deities. Woden may have watched and the Aztec god. The blue artillery crowned that opposite slope, and other slopes. The blue artillery swung every muzzle; it spat death upon the five thousand. The five thousand went steadily, gray, and cool, and clear, the vivid flag above them. A light was on their bayonets — the three lines of bayonets — the three brigades, Garnett and Kemper and Armistead. A light was in the eyes of the men; they saw the fortress above the battle-clouds; they saw their homes, and the watchers upon the ramparts. They went steadily, to the eyes of history in a curious, unearthly light, the light of a turn in human affairs, the light of catastrophe, the light of an ending and a beginning.

When they came into the open between the two heights, the massed blue infantry turned every rifle against them. There poured a leaden rain of death. Here, too, the three lines met an enfilading fire from the batteries on Round Top. Death howled and threw himself against the five thousand; in the air above might be heard the Valkyries calling. There were not now five thousand, there were not now four thousand. There was a clump of trees seen like spectres through the smoke. It rose from the slope which was the gray goal, from the slope peopled by Federal batteries, with a great Federal infantry support at hand. Toward this slope, up this slope went Pickett's Charge.

Garnett fell dead. Kemper and Trimble were desperately wounded. Save Pickett himself all mounted officers were down. The men fell — the men fell; Death swung a fearful scythe. There were not now four thousand; there were not now three thousand. And still the vivid flag went on; and still, '*Yaaaaih! Yaaaaiihhhh! Yaiiihhhaaiihhh!*' yelled Pickett's Charge.

There was a stone wall to cross. Armistead, his hat on the point of his waved sword, leaped upon the coping. A bullet pierced his breast; he fell and died. By now, by now the charge was whittled thin! Oh, thick as the leaves of Vallombrosa the fortress's dearest and best lay upon that slope beneath the ravens' wings! On went the thin, fierce ranks, on and over the wall, on and up, into the midst of the enemy's guns. The two flags strained toward each other; the hands of the gray were upon the guns of the blue; there came a wild mêlée. — There were not two thousand now, and the guns were yet roaring, and the blue infantry gathered from all sides —

'The smoke,' says one Luther Hopkins, a gray soldier who was at Gettysburg, 'the smoke rose higher and higher and spread wider and wider, hiding the sun, and then, gently dropping back, hid from human eyes the dreadful tragedy. But the battle went on and

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on, and the roar of the guns continued. After a while, when the sun was sinking to rest, there was a hush. The noise died away. The winds came creeping back from the west, and gently lifting the coverlet of smoke, revealed a strange sight. The fields were all carpeted, a beautiful carpet, a costly carpet, more costly than Axminster or velvet. The figures were horses and men all matted and woven together with skeins of scarlet thread.'

GUTTER-BABIES

BY DOROTHEA SLADE

I

THE PHILOSOPHY OF THE GUTTER

I SUPPOSE it is because nature dazzles us with such an exuberance of wealth overhead that there is so little time to look for her wind-falls. Some day, perhaps, people will grow tired of star-gazing and will turn their eyes to the Gutter; then they will find the Gutter-babies, and many wonderful things.

A little way out on the map of life, every pilgrim from his own mountain of myrrh must make his venture; some of us have a natural tendency to the Gutter. It is much better than going to the wall. No psychologist could possibly find a more convenient observatory, for nowhere else is human correspondence so abruptly gracious and intimate. Here the dirtiest and most diminutive of Gutter-atoms crawl safely through the elementary stages of infancy into precocious adolescence, far from the battle of hoofs and wheels and the congested struggle of the highway. For the Gutter is the nursery of the poor.

Here, too, are foreigners among the natives, stars who have dropped out of an unknown and uncharted meridian, with queer and often pathetic biographies of their own, which they will tell, but not at all times or to all inquirers.

Once I met a youthful philosopher in the flattest pose possible to rotund humanity, with pink heels kicking at vacuum, and a cunning nose leveled to the grating of a drain.

It was my Johnny.

'Do you like smelling drains, Johnny?'

He lifted a somewhat apoplectic countenance to explain. 'It ain't the bloomin' drain what matters, it's what comes out of its bloody inside! Once my Rosie, her finded a fadger here.' Johnny smiled a great, blissful, expectant smile. 'I'm lookin' for a dear little shiner!' he said.

'We will play that game together, Johnny.'

So we did, he and I, and never got tired of it.

I was walking with a very small person; she was dressed in a tumbled cotton frock and a sunbonnet with one string. Otherwise she was quite

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curiously unlike the local lady. As we proceeded, the small person became confidential. Her name was Blanche, and Johnny claimed her as a relative because she was brought up by his aunt, who took Gutter-babies to mind, and she called Johnny's twin cousins, Alf and Earn, her brothers. But many streets and many gutters divided them from Special Johnny, and if it had not been for the call of the blood it is doubtful if the authorities would even have permitted them to play together. For the twins' dad was a gentleman all the week, and the little boys had their hair curled and wore velveteen on Sundays. The steps into society are frequently quite as abrupt in the Gutter-world, but Blanchie was the secret of this family's success.

She was a Gutter-baby Wonder.

All day long she said her lessons and sucked sweets surreptitiously in the big school of the Gutter-babies, ate a scrappy fish dinner on her way out to play, just like the normal Gutter-baby, and romped and fought and wept through Gutter-life, the merriest and most mischievous of the little wild people, the spoiled darling of our set.

This was the Blanchie that we knew best, a wistful, precocious, sharp-witted creature, with whom, always and everywhere, flowed the warm and glowing atmosphere of the Guardian Spirit, called out of his art heaven to mind this wayward nursling of Genius through her extraordinary and very earthly career.

But when her playmates were cuddled together dreaming, with their restless limbs and chattering tongues as still as they ever are (for every real Gutter-baby tosses and moans in his sleep), while Johnny lay on his back snoring, and the twins slept sweetly in pink flannelette, with their golden hair securely fastened up in pins, — all night long before two 'houses' a very absurdly rosy and professionally-smiling Blanchie, in a short skirt, tripped about on the points of satin slippers, singing loudly through her nose, as she held sway over a troupe of over-grown and clumsy fairies in an obscurely suburban music-hall. The presence of the Guardian, paling and sick at this sordid insult to his art, yet more brilliant than the blinding limelight, wrapped itself about her innocence, so that the cold world, which shuts its heart against Gutter-babies, found a tender thought for the art-nursling, and someone would remember his own spoiled darling asleep on a soft pillow, and someone else would offer to see her safely across the road to the station. A tiny fist it was that he held, gripping fast a bulky treasure tucked away inside a cotton glove — the three pennies for her return fare to Shepherd's Bush.

But the small person was talking to me.

'I shan't do no acting when I'm big, you know, there won't be time.'

I wondered why, and was presently informed with due solemnity.

'I'm a scholar; I'm sharp at my lessons; they think they learned me to read at schule, but they never. I knew my letters off the 'busses before I could walk.'

I dropped the foolish air of patronage which one sometimes assumes for the benefit of Gutter-babies who require cultivating, and became respectful.

'Then I suppose you intend to be a teacher?'

'No, I'll have a schule; I'll be guvness!'

Presently she asked me cheerfully, 'Whatever did you take up with me for?'

I told her as well as I could, and then made an attempt to reply to a volley of questions.

'It's good to ask 'em, ain't it?'

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I assented agreeably, supposing it to be at least the best way to learn the answer, anyway.

'Some don't seem to think so, but I reckons you can find out a lot this way, if you don't ask silly ones and put people off you.'

One great fear haunts and threatens the 'scholar's' brilliant future. It is that the terrible medical certificate may stop her 'schulin'.' It does happen sometimes to 'awful sharp kids.' Some day I suppose the art-nursling will arrive at independence and will go away with her books, shaking off the foster family (who will then cease to appear in velveteen on Sundays), and leaving behind her a little pair of worn-out dancing shoes with blunted toes.

Earn was not really a disagreeable little boy, in spite of his unfortunate weakness for curls and velveteen. He had a magnificent gift of lying, and a clinging affection for the environment of Johnny. At times it seemed as if he might be quite one of us some day. His mother was very proud of having reared him from seven months, and to this interesting fact in his early history she attributed all his many failings and eccentricities. After administering a vigorous chastisement she would console herself with the reflection, 'There, what can you expect of a seven-months'?'

She sent him to me the other day, seriously alarmed at his powers of mendacity, which were indeed remarkable, even for a Gutter-baby.

'The lying little 'ound,' she introduced him. 'I'm sure me and his dad no one can't say as 'ow we don't keep our children respectable, and I doos 'is 'air up every night, I do, and where he learns it I can't think. It all comes of takin' other people's to mind. They ain't like yer own. But there,' she finished, with a shrewd wink at me over the golden head of the weeping Earn, 'what can you expect?'

We heard her patiently, but when she had gone we sat far into the tea-hour together, his soft confiding voice charming away the twilight. Both of us quite forgot why he had come, forgot that he was a mean little snob who told lies, a gutter weakling with tangled curls and — the Gutter-babies' chief abhorrence — spotless linen! There narrow firelit walls, the hard edges of our little world, surrendered to a fairy kingdom of limitless dimensions. Spell-bound we followed the thread of his expert imagination through a narrative, which, if slightly incoherent and vaguely suggestive, was yet sufficiently graceful not to shame the great Grimms themselves.

Then a sudden hesitation, with no hope of continuation in our next, and no persuasion could drag from the orator anything but the most trivial conversation. It was the only glimpse I had into that vivid and fertile mental atmosphere. For the sickly, freakish energy of the 'seven-months' was easily exhausted, and his time with us was brief. But a few days after our interview he was observed playing with some other children at a school-treat on the shore at Bognor. A basket with the usual Gutter-baby treasures — broken crockery, presents for loved ones at home, and the diminishing store of sticky pennies — slipped into the waves splashing stormily at high tide in a strong breeze.

The small group stared dismally at the tragedy, but the little despised boy, in his absurd tunic, with his damp curls tortured by the wind, singing to a trail of seaweed, all by himself, in his dreamy and vacant way, suddenly became the hero of the occasion, and waded out waist-deep among the breakers to recover the precious articles.

His dripping and triumphant return,

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as he handed the wreckage to its weeping owner, was greeted by an indignant welcome from the presiding sister, in whose judgment the drenched and forlorn condition of his little person was the most serious dilemma.

It was not worth the risk of being washed out to sea, or the chance of rheumatic fever, or the spoiling of his velveteens.

If his mother had been there she would certainly have added, 'There, what can you expect of a seven-months'?'

But we knew better.

'I was playing it was a baby,' whispered Earn. 'I heard it cry.'

And what is to come of it all? Will the authorities be equal to the educational problem? Or must philosopher, scholar, romanticist, smother in the Gutter that gave them birth?

II

THE DEVELOPMENT OF JOHNNY

At this time the whole planet seemed set in its place among the worlds and fitted up for one great purpose — the making of my Johnny. This small life seemed to have become a centre of crystallization in the world of matter, hungrily assimilating its environment in the effort to focus its own character. Johnny's development was a procession of transitory moods, up-hill and down, through rain and sunshine. He was very good, and the magnetic touch of his friendly little hand in mine, and the infectious music of his merry laugh, could lift one in a golden moment to the third heaven; but the descent was as certain as sudden, and behold! there was not one virtue in him. A torrent of filthy and abusive eloquence, a genius for inventive lies, a furious and bitterly resentful temper, were all components of the remarkable spirit-demon which at times possessed him, and kept the scale of my Johnny's soul-development well in the balance of retrogression. The bright moments of his baby life, which grew briefer, although ever more precious, as his little body waxed stronger, were the lurid signals of some terrific and explosive exhibition.

He could sit patiently dreaming in the pauper pew on Sunday evenings, with visionary eyes wandering among the flowers and the altar-lights; he would even sing a hymn, sometimes, in a soft and gentle treble, when the tune caught his ear, and the words found some responsive nucleus in the ideation centres of his clouded brain. But the halo would not fit the appalling revelation of Monday morning.

'Johnny must n't go ter meetin' any more,' he decided at last. 'Teacher sez yer sh'd jes see 'ow orful 'e is next dy!'

He never had any apology for these occasions. 'Oi jis goes mad an' as the 'eadache somethink crool!' he would say.

Several stormy years of our friendship were slipping by amid mirth and tears, and still the index of Johnny's mind read reversion to type, — Johnny was not a gentleman.

One had started out as the pioneer of his education with such grand and heroic ideas, under a sky of starry promise. He was to exist in spite of his environment, not in any sort of correspondence with it. He was to be a gentleman of the slums, a Gutter-boy in rags, with the motto 'noblesse oblige' written all over his young heart.

And here we were left without any ennobling result from our foolish aspirations, with the problem of human reconstruction still staring at us. One had fallen so low as to tolerate the thought of starting with the conversion of the external, in the dim hope of

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persuading one's self that beauty of form is the expression of progress.

'Johnny, if I make you look like a gentleman, could you possibly pretend to be one?'

The proposal was very acceptable to Johnny.

Was there ever a great personality which did not love to pose? Man is fickle even to the ego that he adores, and loves to turn his back on it at times till its crying need recalls him.

A little money and a pawn-shop did the rest, and my Johnny resuscitated the age of the dandies. He went into the dim recess behind the rows of swinging garments — a picturesque, ruddy-cheeked Gutter-baby, happy and eager, a bit cleaner than usual. He came out a wretched little snob, with his head riveted in a wide collar, his feet moving heavily in stiff hob-nailed instruments of torture, and an orange-striped cap on the most hairy point of his skull.

'Will I do? Please, I've come!' he said with a horrible leer. At least the spectacle of his vanity justified the expenditure. He tweaked and twisted his small body into extraordinary contortions, to view as much of it as possible from every conceivable angle; he strolled proudly about with his elbows out; he twirled an imaginary cane, and buttoned and unbuttoned his coat a dozen times a minute.

'Ain't it *all* roight!' he appealed to me at intervals, and never knew he was breaking my heart.

How could I take him home to his mother like this and hear her say, 'Well, 'ee do look a treat!'

On the way we were mercifully relieved of one article: a yellow cat was soliloquizing loudly on somebody's roof as we passed, and Johnny, yielding to the only natural impulse, sent the orange-streaked cap flying into a tree, where it stuck forlornly for many days, until every trace of the gaudy ornamentation had disappeared. A little farther on, his collar burst as he was stooping over a puddle to catch a glimpse of his own loveliness. Already he began to look a little more like himself.

For many hours he walked sedately about, the cynosure of every eye, but it was a difficult part for him to keep up. Toward evening I lost sight of him, and went out later in search of him, to know the latest development. The sky was alive with stars, set like jewels in a velvet pall, and the moonlight poured down on a scene that does not know the meaning of the hush of night. Like eerie shadows, a group of grimy imps, half-clad, and wild with the joy of their play, were darting here and there in the distance, and one, grimier and more ragged than the rest, came to me in a torn shirt, with one trouser-leg ripped up, carrying his boots in his hand.

'I've jes tiked me gentleman-clothes off fer er little rest!' he explained apologetically.

Three days later, there was nothing left of the masquerade but a little gray bundle in the pawn-shop, and a crumpled ticket safely stowed away in the heel of a forsaken stocking.

The boots, it is true, lingered for a little while longer, but at last they, too, went home, and I forgot to miss them till one day a few pence in a hot little hand raised in my mind a cruel suspicion that my Johnny was not a man to be trusted.

'Johnny,' I cried, thrilled with horror, 'where did you get that money from?'

He amused himself for some time playing with my worst fears and exciting me beyond endurance.

At first he almost confessed that he had 'pinched' it, but he could n't remember where. Then he declared he

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had 'earned it honest,' and told a long confused story about it, full of incident; but he could n't quite finish it, and the pennies had still to be accounted for. At last, having reduced me to a fever of misery, he said condescendingly, 'Cum out of it, thin, oi'll show yer!'

We walked on in silence till our pilgrimage ended abruptly at the corner of the street. There, under three dusty golden balls, swung sadly a little pair of lonely boots.

Johnny pointed to them solemnly, and there was a convincing ring of proprietorship in his voice, — 'Thim's mine!'

It was the end of a tremendous failure, and the experience had been a sharp lesson in the methods of evolution. But as I looked into his big impudent eyes and answered the wide smile of self-satisfaction that I found there, I felt just a little less despondent than usual about the development of my Johnny.

To him it had been all a very good joke, and he could afford to be kind.

'Oi wus only 'avin a game with yer!' he said, and encircled me with loving arms, rubbing a little rough head tenderly against my hand. 'But were n't it a bloody shame ter worrit yer, though?'

III

THE GUTTER PARSON

Sometimes, and especially at certain seasons of the year, or when the family fortunes seem to encourage self-advertisement and ceremonial, it happens even among the pagan Gutter-folk that the young people are seized with the desire to have a show. Then there is a tremendous gathering of the Gutter, and a rainbow shower of confetti round the church, and presently a blushing, shame-faced boy in a miserably new outfit, and a bold-eyed gorgeous bride, with, perhaps, even in her escort one or two Gutter-babies, oddly disguised in feathers and ribbons.

Easter morning is a favorite occasion for this sort of pantomime, and is of course exceptionally inconvenient to the ecclesiastical authorities.

Our 'Loo' was going to marry Bill Smith like this.

It seemed to Loo that morning that the Easter sun shone as if it 'never 'ad before.' She and her sisters had been up all night, stitching beads into a pattern on her satin train, but in spite of this she was as fresh as a peach now. The vigorous youth of the Gutter only collapses under the severe and prolonged strain of matrimonial experience and the keeping of the home together, and struggles with fierce contempt against the shock of circumstances and the crushing brutality of over-work and irregular hours.

Although Loo had been reared on bread and dripping and weak tea-dust, with one magnificent dinner, once a week, on Sunday, Bill was justified this morning in his boastful pride of her brilliant muscular beauty. But in less than two years, the memory of this vision of splendid humanity will be over. Loo will be wondering what there is to live for, long before then; she will be a wasp-tongued, ill-tempered gossip, looking out at Gutter-garten with haggard, disappointed eyes, a gaunt and weary woman, with her girlhood crushed under the flood of pain and misery which Bill's wife must meet.

The outlook of the young people was not so surprisingly hopeful. There was just enough to eat at home, as indeed there always had been, but Bill had unfortunately managed to lose his work a few days before the wedding.

However, it was unlucky to put things off, and besides Loo had a tremendous bet that she would have her

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first baby before she was eighteen, and the months were slipping by.

And so it was to be pulled off.

Loudly the Gutter cheered for our Loo, as in her amazing splendor, with but a poor attempt at concealing her embarrassment and self-consciousness, she sauntered into church, smirking and miserable, on the arm of her stepfather; and they were both trying hard to feel as if they were quite accustomed to their eccentric performance. Loo leaned heavily on her gallant protector. He had often made her feel in the way at home, had brutally kicked her out even, more than once, but they were friends now, and he was pleased and proud of her this day. For it is human to feel conscious of some appreciation for what we are in the act of giving away. .

We were all waiting, — Loo triumphant, dignified, and brazen, her family coy and facetious; the dense cloud of witnesses that had flowed in from the Gutter gaping, irreverent, and hypercritical; and the Gutter Parson, nursing his disapprobation in preoccupied silence, so quiet and watchful that no one caught the warning of the coming storm.

Why did they wait so long?

Loo looked away anxiously down the church, across that tossing sea of dark faces, and she did not find her Bill. For a brief moment the loyal heart of this Gutter bride was strangely troubled.

'I do feel hupset!' she confided to her first maid of honor. Was this, perhaps, some humorous act on the part of the jocose Bill? For the Gutter jest is sometimes pitilessly cruel and drastic. She could almost see him in the imagery of her tortured mind, boasting to his pals at the Blue Star, with shrieking mirth, of this most drastic and colossal 'sell' that he had so skillfully organized.

But a slight commotion at the door of the church abruptly terminated these unhappy flights of meditation.

Here at last was her Bill, with disheveled locks and crumpled collar, shoved along between a winking and amused escort, — her Bill not quite himself!

Still, he had come; he had not failed her, and Loo's anxiety was completely removed.

'Thank Gawd, 'ere 'ee is, if 'ee 'as 'ad a drop!'

The ceremony began and they stood together; Bill's knees were shaking and his eyes vacant, yet all might have gone smoothly but for the uninvited presence of Special Johnny among the chosen guests. It had been impossible for some time past to ignore the persistent interference of Johnny, who had managed to reserve for himself a conspicuous seat in the near proximity of the interesting pair. The ceaseless hum and commotion within the sacred building was punctuated by the patient perseverance of Johnny's mother as she vainly strove to control his movements.

'B'ave yerself, can't yer, yer little devil? Wait till I get yer 'ome!'

But threats were idle words to Special Johnny, and his audacity increased, until in a wild moment of sudden temptation, he dug Bill violently in the ribs, and that unfortunate person, being in no condition to receive such advances, released his self-control in a tremendous guffaw that burst from him in a thunder of merriment, and died in a terrified whine amid the shocked silence of the suddenly subdued Gutter. It was then that the Gutter parson took a definite action.

Perhaps it would be worth while to look at the Gutter Parson for a minute while he is here, though we must often meet him in the Gutter, in his shabby cassock and his 'funny little 'at'!

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Here is a curious phenomenon of nature, — a gentleman and a scholar, who for some reason or other has chosen to associate himself with the pain and poverty, the reeking squalor, the sin and devilry of the Gutter. It almost persuades the Man in the Gutter to believe sometimes in the genuineness of his attitude. Though, of course, he does try to kid them now and then! There was Johnny's mother, for instance, who asked for milk when the baby was choking with the whooping-cough last winter, and the Gutter Parson just looked at her and said, —

'My good woman, am I a cow?'

'Of course 'ee were n't no cow, but babies want milk, and wot are parsons paid fer!'

For the Man in the Gutter is conscious only of a body that gets hungry and hurts, and a soul that is capable of bitter hatred and the sting of fear.

Yet the Gutter Parson can hold his own with the heart of the Gutter. I have seen him in the suffocating atmosphere of the Mission hall, through the thick clouds of foul tobacco-smoke, perched on his little platform before a wild mass of the darkest humanity of London, gathered together by the bribery of a 'pipe and a bellyful,' a small and not imposing figure, with a curly head and a boyish smile that the years had never been able to steal from us, an unconscious and magnificent display of leadership, as with one weak hand lifted from time to time against that vast and powerful throng he controlled and restrained and silenced their fierce emotions at his will.

The Gutter Parson is dead. We killed him in his own Gutter with our importunity and our hopelessness and our peculiar ingratitude. But we could not bury him.

Last Good Friday, old widow Judy, reputed by an ancient tradition of the Gutter-babies to be a spy in the pay of the police, heard the thin treble of a familiar hymn-tune through the confused tumult of the holiday-making street, and rose up in her warm corner of the Blue Star, where she sat with her pipe and glass sheltering from the east wind, and picking up scraps of gossip. Straining her own drunken voice to that faint echo, she began a dizzy perilous dance which landed her out into the Gutter, with her mocking words and her evil, mocking gestures, just as the procession from the Mission headed by the great crucifix, in the hard strong hands of a huge navvy in corduroys, with the dust and odor of his labor still upon him, came round the corner.

A few holiday-makers stopped to laugh, a small acolyte put out his arm to push her aside. But between Judy and that stalwart crucifer swept some swift and silent warning. Suddenly flinging up her hands, with a loud, unearthly yell, the old creature fell forward, her face livid in the waving torch-light as the procession filed solemnly past her.

'Oh, my Gawd,' she moaned, 'did yer see 'im there plain as daylight? And me drunk agin!'

And now before his ungentle discipline this wedding party crept silently away in their shame and confusion, leaving behind them a sensation of strange calm and stillness.

Outside, every one took a different view of things; the sun was still warm and bright, and Bill revived a little in the fresh air. No one felt inclined to be really serious or miserable, so they decided to continue the festivities as if there had been no interrupting catastrophe in the programme.

Later on, when Bill and Loo were visited in their new home, they had agreed not to 'bother about no parsons now.'

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That night, behind the warm light in the window of his snug den, the Gutter Parson had company, and entertained Special Johnny.

'I'll play yer buttons!' said his small guest, when they had cleared the supper.

He produced a handful, and the game began.

'That's a two-er, and that's a three-er, and this 'ere's a tenner!' he said, laying it down with due respect, and watching it with loving eyes.

The game continued with furious excitement and deadly seriousness. Suddenly there was a fierce exclamation from Johnny, and a small fist surprised the Gutter Parson's left eyebrow.

'Oo-er! yer bloody cheat!' said Johnny. 'What, did n't yer lick yer bleedin' thumb twice? Now say yer did n't, ye swindlin' liar!'

This is the most quarrelsome and wrangling game that the Gutter-babies play, and they fight bitterly over it, but no one but the Gutter Parson would lick his finger more than once in picking up the buttons. At ten o'clock, when Johnny stood on the door-step, with red cheeks, and twisting his cap in his hands, he said, —

'It were little Johnny spoiled that show this mornin'.'

Nobody else would have thought it quite in proportion to play buttons all the evening with a juvenile lunatic for the purpose of obtaining this minute and obvious information.

But herein lay at once the foolishness and the genius of our Gutter Parson.

THE INGREDIENTS

BY HENRY KITCHELL WEBSTER

THE Model knew the tricks of the trade; so when she noticed that the painter's gaze had settled itself at the level of the flounce on her petticoat, she straightened her back, raised her bare arms, and indulged in a long, slow stretch and a yawn that made her eyes water. There was no hurry. He'd be working away down there on the lower part of his canvas for some time.

In the corner, behind Burton, was a big mirror, and if she had craned her neck just a little, she might, without interfering with him, have seen the deliberate, infallible brush strokes that were the envy and the despair of so many of his colleagues. For you might quarrel with Burton's ideas, — or what some people considered his lack of them, — or with the palette he sometimes worked in; but there were no two words about his painting.

The Model did n't look. If any one had asked her, — which no one did, — she might have discoursed feelingly on the folly of painting a picture of a girl washing her hands in a common white porcelain wash-bowl that stood on an imitation mahogany wash-stand, with a cheap porcelain pitcher beside it, and the slop-jar, which completed the set, glaring, without apology, in the foreground. Also, she might have had a word to say of the absurdity of hang-

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ing a corner of the room, as Burton had done, in a light-blue eight-cent wall paper. And what was the sense, when a girl had come up to the studio in a perfectly new brown suit that was the latest style, — absolutely the latest, — in painting her picture in a common white petticoat and chemise? That was what she wanted to know. At least, it was what she would have wanted to know had her thirst for any sort of knowledge been more than negligible.

Instead, she started another stretch. But, as Burton looked up just then, she checked it hastily and resumed the pose.

'Tired?' he asked. 'It's rather hard, is n't it?'

'Well now, it's harder than you'd think,' she assented. 'Bending over just a little like that, puts a sort of crick in your back. I'd rather be all doubled up, or standing on one leg, or something.'

With a little roll of his loaded brush, Burton defined a high light on the rim of the bowl. Then he stepped back for a look.

'We'll call it a day,' he said.

The girl wriggled her shoulders and lounged across to the steam radiator, where she leaned back, folding her arms behind her.

Burton pushed the easel a little farther out into the room, and in doing so, turned it so the girl could see what he had been painting.

She looked at it vaguely, without the slightest change of expression. 'Well,' she said encouragingly, 'that slop-jar certainly does look awfully natural.' She yawned again, but this time, when she saw that Burton was smiling, she shaded it off into a rather apologetic little laugh. 'I guess I ain't much on art,' she added.

'I'm with you there.' Burton nodded emphatically. 'I'm not much on art myself.'

She looked round at him, with a momentary flash of interest. She could believe what he said easily enough. He was not like the rest of them. His trimly cut hair was brushed in an ordinary way; his ordinary-looking tweed suit would n't have disgraced a teller in a bank, and there was not a paint stain on him anywhere, — not even on his hands. But her interest died out as he added, —

'At least, it's a question of spelling. Art, with a big A —'

He broke off and went close to the canvas, contemplating the brush work over a patch of it with a thoughtful eye.

The girl was looking at a portrait that stood out at an angle from the wall, as if inviting inspection. It was of a man somewhere about sixty years old, — prosperous, authoritative, restrained, — a formidable, predacious-looking figure, characteristic of the rapidly passing heroic age of American finance.

'That's Kirby, is n't it?' she said. 'Randolph Kirby?'

Burton nodded without looking up.

'I think that's fine,' said the Model. 'Why it might almost be a photograph of him.'

The painter smiled. 'That's what Kirby said about it himself. But still, the question arises — I didn't ask Kirby this — why have a portrait at all? Why not stick to photographs?'

'I've thought of that.' Evidently the Model found it rather puzzling. 'Oh, but there's some class to a portrait,' she concluded.

'It shows you've got the price,' suggested Burton; and the girl nodded assent.

'I've seen his picture in the papers,' she went on. 'That's how I knew him. I see his daughter's got her divorce.' She leaned back comfortably against the radiator and stroked her arms. 'I

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guess those foreign counts are a pretty bum lot, even the best of them. She certainly drew down a lemon all right.'

Burton had caught up a brush and was making an imperceptible change in the color of one of the shadows on the face.

'We'll finish this to-morrow,' he said, cheerfully ignoring the topic she had chosen. He fell back for another look and regarded his work with undisguised satisfaction. 'So you don't think much of this, eh?'

'Oh, I suppose it 's all right,' said the Model, 'only, — well, I should think you'd paint something pretty.'

'Like this?' he questioned. He walked swiftly across the studio to where another easel stood, its canvas turned toward the wall. He wheeled it round and pushed it toward the light.

He heard a little gasp of wonder from the Model. Then came a silence more eloquent than words.

'My!' breathed the Model at the end of it. 'My, but ain't that swell?' She turned on Burton with sudden vehemence. 'Who did it?' she demanded.

He answered with an ironical little bow.

'You!' she cried.

'What's worse,' he assented, 'I'm going to sign it.'

'Well, why in the world, if you can do things like that, do you —?'

The Model let the sentence trail away as her look reverted to the picture she had been posing for.

'I don't know,' said Burton thoughtfully. 'I ask myself that question every day. I suppose it 's an attempt to demonstrate that it 's possible to serve both God and Mammon.'

He plunged his hands in his pockets and began to move restlessly back and forth across the room.

The girl paid no more attention to him than to the answer he had given her, which she had not understood. She was gazing with round eyes and open mouth at the portrait.

'Did she really have those furs?' she asked at last. 'Or did you just make them up?'

'Yes, she had the furs and she had the necklace. I've painted them pretty well, have n't I? That necklace, now, — a jeweler could almost identify the pearls.'

The cutting edge of irony in his voice was lost on the girl.

'I should think he could,' she wondered.

Burton's restless pace grew quicker. He was struggling with an overmastering desire to tell the truth for once. The clear absurdity of the impulse made it all the harder to resist. After all, where could he find a safer depository than in the uncomprehending ears of the girl who stood gaping there. He stopped short and faced her.

'I'm going to tell you a secret,' he said.

The girl looked round at him, puzzled, — a little uneasy. It was n't a bit like Burton to get fresh with his models. She'd posed for him long enough to find that out. He never had much to say, and his one concern at the end of a sitting seemed always to be to get rid of her as early as possible. He was looking straight at her, but with an abstracted gaze that saw nothing.

'That picture over there, the one you're posing for, is a piece of really honest work. But it's more than that. It's really beautiful. Oh, there's no doubt about it. I know it. And there'll always be a small class of people in the world who'll know it. Perhaps after they've said so often enough, the others may come to agree with them. Not because they see it themselves, but because they'll believe what they've been told. It may be that some mil-

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lionaire of the twenty-second century, if there are any millionaires then, will buy it for a quarter of a million dollars; and then people will stand in front of it in the gallery and look solemn, and check it in their catalogues to convince themselves that they've really seen it. Whether that happens or not, — and I'll be too dead to care before it does, — no amount of silly praise nor ignorant neglect, nor change of the fashion of the day, can make one grain of difference to that picture. It'll always be there, and there'll always be a few that know. In their hearts, the rest will always agree with you.'

The Model had been placidly occupied stroking out the wrinkles in the petticoat about her hips, but she straightened up with a little start on the 'you,' and looked at him in vague embarrassment. She wished he'd stop talking and let her go home.

Burton strode over to the other easel and dragged it out farther into the light.

'Now just look at this thing,' he commanded. 'Oh, yes, I've used lots of pretty pink and white paint, and I've painted a pretty pink and white face, and the rest to match. And as you say, the furs are expensive and the pearls are real. But look at it. What is her weight resting on? Nothing. Where's her back-bone? Nowhere. She has n't any. Where's her right leg? There was n't room for it, if she was to taper down like that. Look at the size of that foot! She could n't stand on it. See how bright her eyes are. That's because they are n't in the plane of her face, really, but way out in front of it. They ought to be strung on two strings like beads, to keep them from falling. In four words, the thing is plausibly and consistently and infernally rotten.'

He stepped back from it with a grim laugh. He had forgotten the very existence of the girl beside him. On her part, she was wondering whether she'd come back to-morrow or not. Oh, she supposed he was all right, really. Only she wished he'd shut up and let her go.

'Of course, in its own way it's good,' he went on. 'It has to be. You have to know how to draw to do a thing as bad as that and get away with it. But the further you can go, without giving yourself away, the better they like it. I guess in that direction, this thing's about my limit.'

He turned away and strode off on his old patrol across the room.

The girl edged tentatively in the direction of the stairs up to the loft where her clothes were. But he stopped her with a gesture.

'Why do I go on with it?' he demanded. 'That's the question. It is n't because I need the money. Lord! I'm rolling in it, from the dozens and scores of these things I've done before. Why don't I turn honest, now I've grown rich? Well, I like to be the fashion. I suppose that's the answer — one answer anyway. As long as these idiots are waiting three or four ahead all the time for stuff like this, I go on turning it out. And they like it. Bless you! They eat it up. There's a sort of pleasure, I suppose, in seeing how far I can go without giving myself away. Oh, they don't deserve anything better, I know. I tried it once with one of the best of them —'

He broke off with a little laugh, and, oddly enough, his gaze swung round to the picture of Kirby that stood out on the floor at an angle from the wall.

'Her father was a real man, and I'd an idea that she was a real girl; that there was something inside her clothes and behind her face.'

The girl was looking at him now with an expression of genuine interest, and her look stopped Burton as suddenly

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as a dash of cold water in his face. She scented a romance!

'All right,' he said shortly. 'I'm through for the day. Run along and dress.'

Five minutes later he was able to watch her go, with a smile of pure amusement at his own expense. He was enough of a philosopher for that. He realized quite well that everybody, once in a while, had to turn loose and make a blithering fool of himself. He could hardly have chosen a better witness for his outbreak than the Model. She would account for the whole thing with the comfortable adjective 'nutty,' and let it go at that. And, after all, she would probably be nearer right than any of his friends.

Suppose, just suppose, the outbreak had come a little later, before the visitor he was expecting now any minute. Burton straightened up with a grin, turned his picture of the girl at the wash-stand to the wall, and was in the act of turning the portrait of the girl with the necklace, when he checked his hand and left the thing where it was. What's more, he lied to himself about his reason for doing it.

He said the reason was that it would save explanations, avoid false pretenses, and so on. The real reason was that he hoped that when the girl who used to be Ethel Kirby looked at the portrait of this other young girl with the necklace, she would ask a question and give him a chance to answer it. Then, to show himself how little the visit meant to him, he began setting his palette to rights and cleaning up his brushes. Because, of course, it was altogether likely that she would not come.

It was not until he heard a ring at the bell that he wondered how he should address her. Countess? That would seem like rubbing it in. Oh, well, it was n't really necessary to call people anything, if one used a little management.

Perhaps that was what made his greeting rather warmer than he had meant it to be.

'Oh, how do you do?' he cried, when his opening door revealed her. 'I was afraid you would n't come, after all.'

'I'm not interrupting then by being too early?'

It was hard even for his trained eyes to see just where she had changed. She was little, if any, thinner. Certainly there were no wrinkles. Even the bloom on her skin was still there. There was a little more definition to her features perhaps — more of what he was in the habit of calling edge. But it was not so much the features themselves after all, as the expressions that played across them. Her smile, — ah, that was different. It had come almost instantly with her recognition of him. Certainly before his word of greeting was half spoken. Her old smile used to break through so slowly, unevenly, as if against a shy, reluctant resistance.

All that went through his head in just the second it took to shut the door after her.

'Oh, you're safely after hours,' he assured her. 'Let me take your coat. It had to be warm here for the model. Yes, she's gone home.'

'Dad said he thought you would n't mind if I ran in for a look. He's awfully proud of it. But I really think he keeps you painting portraits of him just for the fun of watching you work. He says he's never met more than half a dozen men who really knew their business, and you're one of them.'

Burton was a pretty good stage manager. She did not see the portrait until he had released her from her coat. Then, as she turned, her eye fell on it.

'There he is,' said Burton.

She nodded and did not speak immediately.

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'Yes, there he is,' she assented.

It would have been an exaggeration to say she did it raggedly, or even unevenly. But some of the hard, smooth suavity was gone out of her voice.

'Some of his business friends,' said Burton, 'like it rather less than the first one I did of him — the one they've got at the bank.'

She assented with a curt nod that reminded him a little of her father. 'They would.' And she took her time about explaining. 'There's rather more of him in it than they see.' She turned and looked at him thoughtfully. 'I wonder a little that you saw it. I'd an idea that no one ever saw — just that man, but me.'

Burton walked up close to the canvas and began studying a corner of it as if he suspected something wrong in the varnishing.

'He talked about — you pretty constantly while I was painting it,' he said quietly; and he did n't look round at her.

He did not need to. The tension of the little silence that followed his words had as much meaning as any look there could have been in her face. A moment later, he heard her turn away.

'Oh, Sylvia Herbert!' she exclaimed. And that released him from his affected occupation. 'She told me you were doing her.'

He watched her face intently, while she gazed in silence for a minute or two at the portrait of the girl with the necklace. Her expressions were well schooled now and, at first, there was nothing to see except a polite simulation of interest. Then, irrepressibly, a cynical little smile flashed across it. And in that same instant, she knew he was watching her.

She turned on him quickly and met his own smile of complete understanding.

'Yes,' she said, 'that's the way I wanted you to paint me. And how disappointed and angry I was when I found you were n't doing it!' Her eyes went back to the portrait. 'I can see now how silly it is. I did n't know then — four years ago. I suppose you must always have known. I don't suppose a man could do that — unless he knew better.'

And then came what was to him the first real reminder of old times her presence had brought, — the little gasp of consternation following the utterance of a remark that had not sounded as she meant it to.

'You're quite right about that,' he said. 'I said the same thing not ten minutes ago.'

'Then why —' But she broke off for a fresh start. 'You knew this was the sort of thing I wanted — just exactly what you were doing for everybody else. And you had n't ref — I mean, you meant to go on doing it for other people. You've been doing it ever since, have n't you? Then, why would n't you do it for me?'

That was the question he had hoped she would ask. He would not have denied, now, that this was the reason why he had left Sylvia Herbert's portrait out to stare at them. But he was not ready with his answer. Queerly enough, it was not because she had changed so much from the girl he had known pretty well, four years ago, but because she had changed so little.

With an uncanny little flash of insight she guessed what was making him hesitate. 'Oh, you can talk frankly enough about Ethel Kirby. I'm — someone else — altogether.'

'I wonder whether I can't answer you best by showing you — what I was trying to do then. I've got the thing here, just as it was that morning, four years ago, when you —'

She was smiling reminiscently.

'What a rage she was in! Yes, I'd

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like to see it very much, if you can find it without too much trouble.'

'I can find it,' he said; but for a moment he just stood there looking at her. And at last the mask melted.

'That's what I came up for, really. For a look at Ethel Kirby. I wanted to make sure there was such a person — once.'

For a canvas that had been left unfinished four years ago by as busy a man as Burton, it was surprisingly easy to find. But when he came back from his alcove, only a moment later, lugging the big unframed stretcher, she was the woman he had opened his door to, self-possessed, secure in her defenses. And she was looking, in serene amusement, at the still-life for the picture he had been painting that day. The corner he had hung so carefully in eight-cent paper, the imitation mahogany wash-stand, and the dollar-and-ninety-eight-cent set that adorned it.

'That is n't furniture,' he explained. 'It's props for a picture.'

'A picture! Out of that?' She laughed. 'I suppose that's your way of getting even with Sylvia.'

He leaned the unfinished portrait, still face in, against the wall. It was not quite time for that. Then he turned round the canvas of the model washing her hands. And he took care not to disturb the long, silent scrutiny she bestowed on it even by so much as a glance at her.

'Somehow, it makes you feel good,' she admitted, at last. 'It's so fresh and true-looking. The light's so clear, and cool, — like early morning. You feel as if you'd like to splash around in that water yourself. It reflects so beautifully from the girl's arms. And *how* you've made that awful wall-paper sing! But — but why —'

She turned on him now and her voice was full of protest. 'Why could n't it be beautiful as well as true? That — that happens to be an important question to me, just now.'

'It is beautiful,' he said quietly.

'But it's made up of such ugly — ingredients. Why not a pretty model and pretty French — things, and the petticoat put on straight, instead of all humped around like that. And why pick out that dreadful paper and that fearful wash-stand and that horrible —!'

She nodded indignantly at the slop-jar that shone shamelessly white in the foreground.

'It was the most beautiful thing I could think of to put just there. It needed to be plain and white and just about that size, or your first look at the picture would n't have satisfied you the way it did. A homely fact — even an ugly fact, out in plain sight in the foreground, does n't need to spoil the picture.'

She looked up quickly, but if any secondary meaning underlay his words, his face gave no sign. He went on thoughtfully, —

'Of course, the other sort of thing can be beautiful, too. Laces and brocades and Empire furniture. But what's the use. Everybody knows pearls are beautiful. So is a wet cake of soap. Beauty's a matter of relations, not ingredients.' He pulled up with a shrug. 'Preaching again! Here endeth the first lesson.'

She ignored his apology. 'I think I'm beginning to see. She's just an ordinary girl, putting on her ordinary clothes, and when she's had her breakfast, she'll probably go down to some ordinary job in a street-car. And yet she's doing a beautiful thing, just washing her hands. And she'll do other beautiful things, in the course of an ordinary day's work — if only people with the right sort of eyes happen to look at her. And if she has the right sort of eyes herself, she can see beauti-

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ful things about her all day long. That's the moral, is n't it?'

'Oh, I don't pretend to be a missionary,' he began, a little uncomfortably.

But she cut him short.

'I know you don't. You can see the truth for yourself. Why bother about the stupid people who can't? — I suppose you've painted other things like this? All along?'

'More or less.'

'So that some day you can show us that you've only been laughing.' She let that sink in with a little silence, and he could think of no way to break it. 'But — I've an idea you meant to help me — when I needed it — without knowing — four years ago. And if you had n't been too afraid of being a missionary, and not being understood — and having to bother — you would have helped. — Well, I need help now, again. And I'm going to ask for it.'

By now, he had no idea of trying to break the silence. Even when she began to speak again he did not fully hear at first. Afraid of being a missionary, — of being misunderstood, — of having to bother! When he might have helped!

'You said beauty was a matter of relations, not ingredients. That's right, is n't it? Well, how far does that go? How far can I go with it?'

'How far? Why, all the way, I should think. Certainly truth is n't a matter of facts, nor goodness a matter of doing certain things and leaving undone certain others. It's true of everything, I should say, that's an art rather than a science.'

'You mean, living itself 's an art?'

He nodded. 'Praise God!'

'That's all very well for you. But there are some of us who can't feel quite so well satisfied.'

She gave another little gasp at that, and made a quick gesture of appeal to him. 'Please don't mind! I should n't care, — don't you see? — if you'd just let me go the other time. If you'd painted my portrait as I wanted you to, — a vain, spoiled, young ignorant thing reaching out for a lot of unrealities because they glittered and she wanted them. On her way to be scorched and disillusioned, — oh, and very bitterly unhappy. It was n't up to you. You were n't your brother's keeper. You need n't have cared. But you knew, and you did care. In a way, you even warned me. You painted me so real and solid, so completely the Ethel Kirby I was getting away from, the girl who used to manage to get down to breakfast with dad about three mornings in seven, that you made me homesick. Took the shine off the — Christmas-tree ornaments I was reaching in among the candles for. You cared enough to do that. But when I resented it, because I did n't understand, — you shrugged your shoulders and washed your hands of me. When you might have tried harder, spoken more plainly.

'Of course —' she paused, and her old, slow smile came through — 'there was no one else who did even as much as you. But there was n't anyone else who both knew and — cared. Dear old dad — if I wanted anything, that settled it. He might have been unhappy and fearful, but he would n't let me know it. Do you remember how he sided with me that morning I brought him in to see the portrait?'

Burton laughed. 'Remember? It might have been yesterday!'

But at that, the light went out of her face and she shivered.

'Yesterday!' she echoed.

'Yes,' he persisted. 'You're Ethel Kirby still. You've hardly changed at all. Why I could finish that portrait from you, almost as you sit, if only you were dressed right. For that matter, I've still got the frock you posed in.

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Changed! Why you even smiled in your old way, not a minute ago.' He went across to the unfinished portrait that leaned, face in, against the wall, and laid a hand on it. 'Won't you look and see for yourself?'

'No,' she protested. 'Not to-day.'

He had a quick way of understanding some things. He did not urge her further, but came back without a word, and stood beside her while she looked meditatively at the picture of the girl at the wash-stand. It *was* like old times, this long, unembarrassed silence. At last she looked round at him.

'I said I needed help again and I was going to ask you for it. I think perhaps you've helped me already, — given me the clue I needed. But I want to be sure I understand. You said that even an ugly fact, out in plain sight, in the foreground, need n't spoil the picture. Did you mean that for me?'

She shot the question at him so squarely, her eyes held his so steadily, under those sensitive, mobile brows of hers, that he stammered and flinched away.

'Of course,' he began, lamely, 'I did n't mean —'

'Oh, won't you help, even now?' she cried. 'What's the use of being polite and pretending? I was a fool, and for a while, a perfectly eternal while, I stood the consequences rather than admit what a fool I'd been. And at last, when the consequences grew so — unspeakably degrading that I could n't stand them, I ran away from them, — and took the world into my confidence. I've no secrets any more, — even from the Hearst reporters. There's my divorce, the first thing any one thinks of when he sees me, — out in plain sight, in the foreground of the picture — the receptacle for — oh, gossip and guesses and a subtle sort of commiserating ridicule. That's the way it seemed to me. I felt the picture was cheapened, — spoiled. And then you seemed to tell me it was n't. I wanted to be sure that was what you meant.'

She could have cried, — or laughed, — over the way the man was taking it. Here she was turning out her soul before him, and he — oh, it was like him! How many times, in the old days, had he encouraged her confidences by the same sort of innocent device. He had dropped down, thoughtfully, on a low stool before his brushes, and was wiping them methodically, one by one, on an oily rag.

'"Cheapened, — spoiled!"' he echoed. 'What was Ethel Kirby anyway? A little fool, of course. Every one worth being allowed to grow up is a fool when young, and off and on when old. She was a promising little fool, with an aptitude for discovering that fire would burn her fingers, and that soap-bubbles would burst, and that thin ice would crack, — and that Christmas-tree ornaments run rather low in bullion.'

He dropped his brush, sprang up, and before she could protest had turned the unfinished portrait from the wall.

'There she is. Look at her. She's not so much. You're worth a dozen of her. You've found out all she promised to learn, and a whole lot beside. You're young —'

'Young!'

'Yes! I know how old you are. I even remember your birthday.'

She smiled, reluctantly, at that.

'Young,' he reiterated, 'and healthy and courageous.'

By now her attention was fastened to the portrait, and for a while she made no comment on what he had said. Just looked and looked, with half-shut, thoughtful eyes. But at last she smiled again, and spoke.

'I suppose she was n't so much. I suppose, in rather a silly way, I've been idealizing her. But at least, she

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was young and healthy, and, in her foolish way, courageous. And I suppose that I am still a bit of a fool.'

'Oh, yes,' he said.

That surprised her into looking up at him. But there was not a sign of resentment in her face.

'In general, or in particular?' she asked.

He took a long breath and held it for a second before he answered. She was enough her father's daughter to be a bit formidable.

'I was thinking in particular,' he said, 'about your new toy; your toy tragedy.'

Her eyes darkened at that, and her fine expressive brows flattened ominously.

'Child,' he cried, 'there are real troubles in the world — real tragedies! There are branded people, mutilated, broken people, with life on their hands. And many a one of them has made a beautiful thing of it. Yet there you stand with that tragic mask of yours, talking of being cheapened, spoiled. Why you're intact altogether — all but your pride. That's been rather badly singed, I'll admit. But, bless you, it will grow out again. The real things that matter, your energy, and courage, and faith — yes, your faith! Have n't you shown it this afternoon by coming to me?'

The tension of her body relaxed a little. She turned away rather suddenly and pressed her palms to her eyes. She was not the sort who liked to cry on anybody, and Burton cheerfully ignored the phenomenon of tears.

'You've turned missionary, too,' he said.

That brought her wet eyes round to him wide open.

'Missionary!'

'You've convicted me,' he said, quite seriously, 'on three counts. Of being a coward, a snob, and a charlatan — a charlatan without the courage of my convictions.'

She laughed rather raggedly. 'And I'm a fool with a toy tragedy.' And then suddenly another laugh came, a laugh of pure happiness, that clutched at his throat as even her tears had failed to do. 'Oh, it's so good to be back,' she said, 'scolding each other and calling awful names. I expect they're all true, too,' she concluded more soberly.

His face was sober, too, but there was a sort of smile in behind it somewhere. 'Shall we both reform?' he asked. 'Is it a bargain?'

He was holding out his hand now, but she had hers clasped behind her, waiting for terms.

'If I'll put a coat of black soap all over Sylvia, will you let me finish the portrait of Ethel Kirby?'

She looked in rather a puzzled fashion at the girl with the necklace. 'Black soap!' she questioned. 'What's that for?'

'To make the paint come off. Give me a fresh start.'

The cynical little smile flashed across her face again. 'It seems a pity,' she said. 'Sylvia will love that down to the ground. — Are you sure you've got the frock I posed in?'

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THE GOVERNMENT AND THE CORPORATIONS

BY FRANCIS LYNDE STETSON

THE relation between the government and the corporations is that between two existences similar in nature. As observed by Professor Maitland, 'There seems to be a genus of which State and Corporation are species. They seem to be permanently organized groups of men; they seem to be *group units*.' Sir Frederick Pollock says that 'the greatest of artificial persons, politically speaking, is the State.' These utterances fairly present the conclusion of the present day that every government essentially is a corporation, in the sense that 'it is an entity separate and distinct from the sum of the members that compose it.'

The government here referred to is distinct not only from its members, but from the person of its administrator, be he emperor, king, president, or governor. Whatever his style or name, the head of the government is merely what has been termed a 'Sovereign Member.'

This distinction between the private person and the public person termed the sovereign, has been noted from the time of the early canonists to that of our modern satirist. The former said, 'The Commonwealth can do no act by itself, but he who rules the Commonwealth acts in virtue of the Commonwealth, and of the office which it has conferred upon him.' Thackeray contented himself with presenting in triptych caricature Ludovicus Rex resolved into Ludovicus and Rex. The most magnificent of monarchs, unapproachably absolute in power, and despite his declaration that *he* was the state, was utterly incapable of absorbing the state into his own personality. Such a complete identification has been presented only in the pure theocracy of the Hebrews, whose sovereign Jehovah is identified in our English Exodus as 'I AM.'

The lofty conception of such an absolute, isolated, and all-containing sovereign is unattainable in any finite arrangement. Even in our latter-day republics, the continually declared sovereignty of 'the people' is purely idealistic. As suggested by Professor Maitland, it may be a question whether the people 'that sues and prosecutes in our courts is a collective name for some living men, a name whose meaning changes at every minute.' Some such obscurity beclouds also the current question, 'Shall the people rule?' which seems sometimes to mean only a part of the people; perhaps only a plurality, and apparently none who are able to stand alone.

This somewhat abstruse and remote introduction has been intended to lead up for the purposes of this paper to a definition of the term government. This we understand to be the power that, within its particular jurisdiction, makes and executes the positive law. In this sense the government does not include the judiciary, which executes no law and, at least in theory, makes none. The government is neither the legislature alone, nor the executive alone, nor yet the sovereign people, but is the personification of the sovereign will.

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What then is the relation of this government thus defined to the other artificial entity, the corporation, and specifically the business corporation?

In the public mind, and in the mind of many publicists, the corporation derives its existence from the State as its creator. This, as Professor Maitland observes, was the teaching of the legists and canonists. 'The corporation is, and must be, the creature of the State. Into its nostrils the State must breathe the breath of a fictitious life, for otherwise it would be no animated body, but individualistic dust.' But, as we shall see, the fact is that, except for statutory prohibitions, substantially all of the so-called essential features of corporations and corporate action could be developed, and be exercised, pursuant to voluntary agreement, without any direct authority or assistance from any government whatever.

In its relation to current theories of the responsibility of the corporation to the state, this point is of sufficient interest to be considered somewhat particularly. Mr. Taylor, with his accustomed accuracy, has stated that there is no reason to believe that in the early times any special authorization from the state was necessary in order to form a corporation, though it became so under the Empire. Certainly it became so under the Papacy, when Innocent IV, in the plentitude of temporal power, promulgated (and apparently he was the first to conceive) the celebrated 'fiction theory': that the corporation is a person, but only by fiction. It is interesting just here to note that the Roman idea of the corporation found expression in two terms, *Universitas* and *Collegium*, which now have become absolutely divorced from all thought of trade, but are inseparable from the idea of higher education.

As stated by Blackstone, under the civil law the mere act and voluntary association of its members was sufficient to create a corporation, 'provided such convention was not contrary to the law, for then it was "*collegium illicitum.*"'

Except as and when expressly prohibited by statute, two forms of association answering many, if not all, of the purposes of a corporation, have been developed under English law without the necessity of express governmental consent. These two methods of combining the contributions of many for the conduct of a business undertaking are (1) the partnership known as a joint-stock corporation, with transferable shares; and (2) the trust.

1. *As to the joint-stock company or partnership with transferable shares*, the facts have been summarized by Sir Nathaniel Lindley with such clearness and authority as to render unnecessary any different statement. He says:—

'Upon the whole, therefore, it appears that there is no case deciding that a joint-stock company with transferable shares and not incorporated by charter or Act of Parliament, is illegal at common law; that opinions have, nevertheless, differed upon this question; that the tendency of the courts was formerly to declare such companies illegal; that this tendency exists no longer; and that an unincorporated company with transferable shares will not be held illegal at common law, unless it can be shown to be of a dangerous and mischievous character, tending to the grievance of her Majesty's subjects. The legality at common law of such companies may, therefore, be considered as finally established. . . .

'If these propositions are assented to, it will, it is conceived, be found impossible to establish the illegality at common law of unincorporated joint-stock companies with transferable shares.

'To say that such a partnership is illegal, because it assumes to act as a

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corporation, is untrue; for none of the above acts are characteristic of corporations. What distinguishes corporations from other bodies is their independent personality; and no society which does not arrogate to itself this character can fairly be said to assume to act as a corporation. Besides this, it is by no means clear that it is illegal at common law to assume to act as a body corporate.'

This statement, of course, is as to the common law unmodified by any statute of prohibition. The idea was familiar also to the civil law and to the canon law under which flourished unincorporated associations of persons not merging or losing the individuality of their participation, but joining in a common undertaking. Such an association was termed *societas*, as the collective name for its members, who were called *socii*, and required no express governmental sanction.

These voluntary associations grew and multiplied in England through the favor of the trading-community, until the passage of the notorious Bubble Act of 1719, which declared such associations to be common nuisances and indictable as such. The futility, if not the folly, of such legislation, absolutely prohibiting a natural development of an honest commercial instinct and convenience, had become clear in 1825, when Parliament unconditionally repealed the Bubble Act, after a century's experience of its demonstrated ineffectiveness.

The only real inconvenience to the members of such voluntary associations was the liability of each member or partner for all of the debts of the joint undertaking.

2. This inconvenience, however, was avoided, and substantially all of the benefits secured, by the ingenious invention of the other form of voluntary association, briefly termed the Trust, which continues to the present day, and which is tolerated tacitly even by the Sherman Anti-Trust Law, except when operating as a monopoly or in restraint of interstate commerce. This form of association is constituted by an agreement investing certain persons designated as trustees, and their successors, with certain property, and powers specified in respect thereof. It possessed, and still possesses, all the advantages of a corporation excepting existence for an indefinite period, which, however, is impossible only because of statutes which may be described generally as prohibiting perpetuities. Trusts of this kind are familiar in respect of real estate in Massachusetts, and were recognized by the United States Supreme Court, in the case of Eliot *v.* Freeman (220 U. S. 178), as not being corporations, and as exempt from the Federal corporation tax.

This particular discussion has been carried into this detail as a basis for the conclusion that the ground of state interference with corporations is not that the so-called characteristic features of corporate activity could have developed only by express grant from some government, which in virtue thereof was entitled to exercise over corporations a control not deemed reasonable in respect of natural persons. Without now disputing that such control may be exercised, it is desirable to eliminate a general and erroneous idea as to the foundation of this generally exercised power.

From this point we may proceed to consider those artificial persons strictly and accurately called corporations, which, until the nineteenth century, existed in common-law jurisdiction only by prescription or by special grant from the state, either the sovereign or the legislature. The essential features of a corporation, those which distinguish it from every other form of asso-

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ciation, have eluded analysis and definition despite pursuit and insight by the keenest and most untiring of human intellects. One test after another has had to be abandoned as insufficient or indiscriminate. To-day, about the nearest approach to general agreement is that the essence of a corporation consists in a capacity: (1) To have perpetual (or definite) succession under a special name and in an artificial form; (2) to take and grant property, contract obligations, sue and be sued by its corporate name as an individual; and (3) to receive and enjoy in common grants of privileges and immunities.

Mr. Taylor has undertaken to indicate the points of corporate character which are lacking in an ordinary partnership, but is obliged immediately to recognize that not all of these points distinguish all corporations. He says, —

'An ordinary partnership differs from a corporation at common law in the following points: *First*, it is not an artificial person; *secondly*, a change of partners dissolves the firm; *thirdly*, the partners are personally liable for all firm debts; *fourthly*, they are each other's agents in respect to the firm business; and, *fifthly*, a partnership requires no special sanction for its existence.

'Not all of these points of difference remain to-day. It is no longer clear that a corporation is a distinct person; and, as to the third of these points, it may be said, that in many corporations the members are personally liable, and that in some limited partnerships not all the partners are personally liable.'

It cannot be doubted, however, that in America the general (though not the unanimous) opinion is that expressed by Mr. Machen, '(1) that a corporation is an entity distinct from the sum of the members that compose it, and (2) that this entity is a person.'

Mr. Machen happily illustrates his first proposition by invoking the figure of Alma Mater.

'Was there ever a school-boy who had any difficulty in understanding that his school is something distinct from the boys that compose it? He does not need to be told that the school may preserve its identity after a new generation of boys have grown up so that not a single pupil remains the same, and though every teacher may have changed, and though the school building may have moved to a different location. He finds nothing strange or mystical in the conception of the school as an entity.'

This recalls Judge Cowen's quotation of Heraclitus: 'One cannot step into the same river twice'; and of Aristotle: 'The river retains the same name although some water is always coming and some going.'

The truth is that from the twilight of our tribal ancestors men have acted in groups rather than separately, and that they have conceived of these groups as distinct entities.

Mr. Machen's second proposition, that a corporation is a person, is reasonably explained by him in its popular sense, 'as a metaphor to express the truth that a corporation bears some analogy or resemblance to a person, and is to be treated in law in certain respects as if it were a person or a rational being capable of feeling and volition.'

The point is of more than academic interest for, under the Federal Constitution, rights of great consequence have been recognized as belonging to corporations as being persons within the intendment of one article, and have been denied to them as not being persons under another article.

But, despite philosophic differences of the doctors, the shrewd common sense of the business world at the beginning of the nineteenth century came

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to recognize the practical advantages of statutory authority for a corporation with a distinctive name and definite capacity, even though it was possible to obtain and to exercise all this under more or less complicated voluntary agreements.

The American war for independence involved a revolt, not only against the rule of Britain, but also against concessions of special privileges, and naturally enough American sentiment first developed the idea of 'free-for-all' acts of incorporation.

The model statute of this kind, which it is believed was the first of the kind in the world, was, 'An Act relative to incorporations for manufacturing purposes,' passed by the legislature of New York on March 22, 1811. This statute, consisting of only eight sections and eighty-seven lines, was a model of its kind in the skillfulness, comprehensiveness, and conciseness of its expression. It permitted any five persons, by making and filing a certificate, to form a manufacturing corporation with a capital not exceeding one hundred thousand dollars.

This general incorporation act was followed by one in Massachusetts in 1836, one in Michigan and one in Connecticut in 1837, and one in Indiana in 1838. Since then the world has fallen into line, the English Companies' Act, called by Sir Francis Palmer the 'Magna Charta of coöperative enterprises,' having been passed in 1862.

These general laws terminated the era of monopolies and special privilege, for, as observed in 1819 by Chief Justice Spencer, —

'There is nothing of an exclusive nature in the statute; but the benefits from associating and becoming incorporated for the purposes held out in the act are offered to all who will conform to its requisitions. There are no franchises or privileges which are not common to the whole community. In this respect incorporations under the statute differ from corporations to whom some exclusive or peculiar privileges are granted.'

More acutely it has been remarked by Mr. Morawetz that, 'The right of forming a corporation, and of acting under the general incorporation laws, can be called a franchise only in the sense in which the right of forming a limited partnership, or of executing a conveyance of land by deed, can be called a franchise.'

Under these enlightened laws, as said by Professor Maitland, 'It has become difficult to maintain that the state makes corporations in any other sense than that in which the state makes marriages when it declares that people who want to marry can do so by going, *and cannot do so without going*, to church or registry. The age of corporations created by way of privilege is passing away.'

And so it is; the ordinary business corporation of the present day is the creation, not of the state, but of the subscribers who, except for statutory prohibition, could unite by simple mutual agreement, embodying therein substantially all of the miscalled sovereign franchises.

Thus we are brought to the point where we may answer our question as to the essential relation of the present-day business corporation to the state, by saying that generally it is the same as that which mutual contractors bear to the register of their contract; and that it is not that of the clay to the potter, or of the offspring to the parent.

The consequences of the sovereign power's relaxation of its prohibitions upon liberty of such mutual contracts have been stupendous, and of enormous public advantage; for, as profoundly observed in 1839 by Mr. Ingersoll, in

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his argument in the Bank of Augusta *v.* Earle, —

'No corporation is created in contemplation of law but for the public good. Charters are intended to benefit the unincorporated more than the incorporated.'

Obviously, for, except in the degree that it ministers to a public want, no business corporation can operate with financial profit.

At the beginning of the nineteenth century there were in America probably not more than one hundred corporations, of which at least one half were in Massachusetts. By the year 1840 Chancellor Kent observed that corporations had multiplied with a flexibility and variety unknown to the common law. He says, 'The increase of corporations in number, and of private industry and enterprise, has kept pace in every part of our country with the increase of wealth and improvement. The Massachusetts Legislature, for instance, in the session of 1837, incorporated upwards of seventy manufacturing corporations.' In 1857 Judge Dillon remarked that, 'It is probably true that more corporations were created by the legislature of Illinois at its last session than existed in the whole civilized world at the commencement of the present century.' In the fiscal year 1909, according to the report of the Commissioner of Internal Revenue, there were in the United States 262,490 corporations of all kinds, with more than $84,000,000,000 of stock and bonds and $3,125,000,000 of income, paying a Federal tax of about $27,000,000. For the fiscal year 1910–11 the figures had risen to 270,000 corporations with more than $88,000,000,000 of stock and bonds and $3,360,000,000 of income, paying a Federal tax of $29,432,000. As the total wealth of the United States has been estimated at $125,000,000,000, it would appear that nearly two thirds of it is held by corporations. More than one fifth of the tax payments were made by 32,925 corporations of New York.

These figures proclaim in trumpet tones the public usefulness of the business corporation, but not more significantly than the following glowing words from the eloquent address of President Nicholas Murray Butler before the New York Chamber of Commerce on November 16, 1911: —

'I weigh my words, when I say that in my judgment the limited liability corporation is the greatest single discovery of modern times, whether you judge it by its social, by its ethical, by its industrial, or, in the long run, — after we understand it and know how to use it, — by its political, effects. Even steam and electricity are far less important than the limited liability corporation, and would be reduced to comparative impotence without it. Now, what is this limited liability corporation? It is simply a device by which a large number of individuals may share in an undertaking without risking in that undertaking more than they voluntarily and individually assume. It substitutes coöperation on a large scale for individual, cut-throat, parochial competition. It makes possible huge economy in production and in trading. It means the steadier employment of labor at an increased wage. It means the modern provision of industrial insurance, of care for disability, old age, and widowhood. It means — and this is vital to a body like this — it means the only possible engine for carrying on international trade on a scale commensurate with modern needs and opportunities.'

The paramount encouragement for the growth of corporations has been acutely stated by Professor Taussig, as follows: —

'Perhaps the most important of all

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the ways in which corporate organization has promoted the development of industry has been the ease of investment, and the consequent stimulus to the saving and the making of capital. In the eighteenth century almost the only possibility of investing in securities was through the purchase of public obligations; and these, though they meant investment by the individual, usually brought no increase in the community's capital. . . . The ease of investment in corporate enterprises has stimulated savings, and by a reciprocal influence, the increasing accumulation of savings has made possible an immense increase of real capital under corporate management.'

This statement receives recent and impressive confirmation in the distribution among more than 100,000 stockholders of the United States Steel Corporation, of the steel and iron industries, held only recently by a few hundred concerns. The great and lucrative industries known as the Carnegie Steel Works were held by only forty partners.

English experience has been similar to that in our own country. There the companies have been increasing at the rate of more than four thousand a year. In 1910 they had reached 40,000, with a capital and bonds of more than twelve billion dollars, and an increase in much greater ratio in the number of shareholders.

Now we may consider what has been, and what is, the customary attitude of the government and the public toward these voluntary instrumentalities of the trading community, which are thus recognized to have been advantageous to the public in a degree unattained by any other human agency.

The governmental disposition shows itself *first*, and most fully, in the exercise of the taxing power. The home state, each foreign state in which the corporation does business, and the United States, all find an easy mark in the identifiable and conspicuous capital of the corporation. The home state, as imagined creator, exacts enormous payments: (1) For the privilege of registration; (2) for the privilege of continuing existence; and (3) for the privilege of permitting the transfer of its shares by the holders thereof, or from the estates of deceased holders. The foreign state, exhibiting the spirit of comity which alone permits what in effect is the migration of the corporation, levies an entrance fee, and sometimes also an annual tax. The Federal government, concededly lacking any power of registration inherent in the creator of the state corporations, levies a tax, not upon them or their property or their income, but a tax, measured by their income, upon the privilege of doing business as corporations, such privilege existing under the laws of the several states, not of the United States.

These taxes are over and above, and in addition to, the *ad valorem* property tax which the corporations pay just as natural persons do, save that, unlike natural persons, in the assessment of their property the corporation officers are not allowed to deduct, but often are compelled to add, the amount of their bonded indebtedness.

A *second* important discrimination against corporations is that which takes them out of the protection of the Fourth Amendment and the Fifth Amendment to the Federal Constitution. These two amendments forming part of the Bill of Rights have been regarded as the bulwarks of protection for natural persons. But it seems now to be the established law that in every case the creating state, and, in cases involving commerce between the states, or foreign commerce, the Federal government, are free from most if not all of the prohibitions of these two guaran-

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tees of security of the people in their persons, houses, paper, and effects against unreasonable searches, and against compulsory examination as witnesses against themselves in criminal cases.

A *third* disadvantage of a corporation relates to its transactions outside of its home state.

Under the luminous and far-reaching opinion of Mr. Chief Justice Taney in the Bank of Augusta *v.* Earle, corporations would be entitled to enter any state, and to transact business therein, unless expressly forbidden by the law of that state, or of the state of its origin. This privilege, guaranteed by Section 2 of Article IV of the Federal Constitution to natural persons, citizens of the several states, has been substantially curtailed (except in respect of interstate commerce) by statutes, more or less restrictive, in nearly every state. This right of exclusion may be exercised so as to disenable a foreign corporation to exercise its right as a citizen of its home state to remove to a Federal court a suit brought against it in the foreign jurisdiction. Thus has resulted a great practical difference to the corporations as compared with natural persons in the exercise of untrammeled action in the several states.

A *fourth* restriction, almost without limit in the field and the force of its operation, is imposed by the so-called anti-trust laws of the several states. The great business enterprises of the country since the Ohio dissolution of the Standard Oil Trust in 1892 have been conducted not under trust agreements, but by corporations, and therefore, it is the large corporations that have felt the special force of these statutes. So far as they are intended to protect the communities against monopolistic practices tending to prevent reasonably competitive conditions in trade, or to protect and to punish oppressive or unfair conduct, they must be accepted as within the exercise of the state's right of reasonable legislation. But when, as recently, the courts of a state felt themselves compelled by law to exclude from the state the International Harvester Company solely because of its constitution, and in spite of their judicial ascertainment that its conduct in that state had never been oppressive or injurious, but on the contrary highly beneficial to the people, it is permissible to doubt whether such a statute really embodies a just and reasonable conception of the function of positive law as distinguished from natural law.

Anti-trust laws have been enacted in more than two thirds of the states, which, perhaps, are to be swallowed up by the Sherman Anti-Trust Law and legislation supplementary thereto, passed or proposed for passage by the Congress. The penalties — civil and criminal — imposed by such laws often are more severe than those directed against offenses involving infractions of the Ten Commandments or of the laws of nature.

Juries hesitate to enforce such penalties personally against officers of the very same corporations whose practices they are willing to condemn. Laws of somewhat similar import long prevailed in England, but after centuries of unsatisfactory operation were swept away by the repealing acts of 1772 and 1844, on the express ground that the prohibited acts had come to be considered as favorable to the development, and not in restraint, of trade. To-day no statutes of the same purport or effect are to be found in any civilized country except the United States. It would be idle to pretend that these laws do not represent a real and honest conviction of the American people, that they are necessary for protection against real or imagined abuses; and

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undoubtedly corporations must conform to them. No form of business or social activity is comparable in importance with obedience to the law. Until, as is inevitable, these laws shall be modified so as to apply in respect of evil practices, rather than the mere potentiality of such practices, a *modus vivendi* must be established. In the mean time it cannot be gainsaid that, for the common good or otherwise, they must operate as a check upon the growth and development of corporate enterprise.

But the *fifth*, and the greatest burden upon the corporations is that imposed, not as a result of governmental laws or regulations, but by a popular indisposition to accord to corporations the same kind or measure of justice that is deemed to be due to natural persons. The concrete form and the visible and imagined possessions of corporations expose them to impositions which no jury or community would think of inflicting upon individual suitors or citizens. Themselves incapable of sentiment, corporations seldom elicit sympathetic treatment from others. Many years ago an eminent English barrister gave expression to the experience of most corporation lawyers, before and since, on both sides of the ocean, when he declared that, except in the clearest of cases, a corporation had small chance of a favorable verdict.

No corporation can expect any jury to treat it like an ordinary personal suitor. One result of this discrimination undoubtedly has been unfortunate in its effect upon the administration of justice, or upon the popular feeling with regard to that administration. The errors of prejudiced or unreflecting juries have required, and they have received, correction from courts of review so frequently as to lead to a popular impression that if juries are biased against corporations, judges are biased in their favor. It is no part of the present discussion to demonstrate that such an impression is wholly erroneous, though there is far less reason for it than is often declared. The right of the corporation to even and approximately exact justice is, of course, as sacred as that of any private suitor. Whenever such right is denied, corresponding injury is inflicted upon a form and mode of honest business enterprise which, as we have already observed, is regarded by men of wisdom and experience as the greatest social achievement of the nineteenth century. Thus a serious loss results to society itself.

The corporation is entitled to receive no more and no less than the justice due to every citizen. So long as such measure of justice is denied by juries or by commissions, the aggrieved corporation is bound to seek, and should receive, just redress in the courts. To pillory either corporations for seeking, or courts for awarding, remedial justice in accordance with the principles and procedure laid down for all citizens is not only unpatriotic and unfair, but is also unwise. For so long as the instinct of self-protection animates human nature, impatient and conscienceless men, in charge of properties, whether corporate or personal, will resort to abhorrent methods if they distrust, or have reason to distrust, legitimate modes of defense. This, like 'lynch law,' may be condemned, but the fact cannot be ignored. The effort of every reasonable man should be to contribute his influence toward the fair treatment of industrial enterprises in every form, whether individual or corporate, according to their merits and demerits.

It may be answered, and with considerable force, that in the long run men and institutions receive the kind of treatment that their conduct provokes or invites. But, as already noted, in

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the case of corporations, their impersonality, invested in the popular imagination with inexhaustible resources, seems to relieve the community from extending to them any measure of that patient consideration which in many difficult cases is the safeguard of the personal litigant. A single illustration may indicate how remote and irrelevant may be the prejudices governing the result in the trial of claims against corporations. An eminent southern lawyer told me that one of his earliest cases was against a telegraph company for negligence in the transmission of a message. Having succeeded by his evidence in establishing his point, his satisfaction in his achievement as a forensic victory was considerably modified when the foreman of the jury told him, 'We found for you because we are against these corporations: they make people superficial.'

The temper of the times which now we are passing through, also contests the reasonable development of corporate enterprise. As already observed, a chief public advantage in the process of corporate organization has been found to be in the opportunities generally afforded for the investment, and the making, of capital by the investor of moderate means. But, in an era of vast and growing discontent with capital in any form, there is also a growing disposition to question whether the public service rendered by corporations in this particular has not been overestimated. This suspicion openly and boisterously expressed by the avowed socialistic organs undoubtedly lurks in the minds of many not yet prepared to wear the label of the Socialists. Their attitude, however, is reflected in many forms of governmental enactment and administration adopted in supposed response to this popular unrest, or in expectation of popular approval.

For this difficulty there is no reasonable remedy comparable with the remedy of reasonable and patient discussion. The principles of our popular government by representation are sound, or they are unsound. To many of us they seem as sound as when they were adopted in 1789, and our constitutional guarantees are entitled to veneration and maintenance, not merely because they are venerable (though that means much), but because in the main they are right, and are such as, if not already ordained, should now be ordained by the people of the present day.

That the initiative, the referendum, and the recall, as measures of *federal* concern, are beyond the domain of present practical politics seems to have been recently recognized by Mr. Bryan and by Colonel Roosevelt, and so far as I know, the contrary has not yet been asserted by any important leader of public opinion. That the applicability of these expedients for ascertaining the popular will in particular instances *within the jurisdiction of a state*, is very limited in extent, must also be recognized. As methods of reform within these limits, they are only methods and not principles. They do not in and of themselves make men good, but are devised to permit the good to exercise a more direct influence. Their practical operation within the jurisdictions that have adopted them will demonstrate before long whether those who advocate them have seen a great light or only an *ignis fatuus*. But certainly as yet the measures are in the experimental stage. Equally certainly it is not the part of prudence, in advance of the ascertained result of these experiments, prematurely to commit our communities generally, and with inconvenience of withdrawal. The sober second thought of the people surely is as valuable as its first impression, and this sober second thought is

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that which must be sought and be stimulated by the reasonable discussion which we are certain now to have. The grand debate has begun in every public forum, by every leader of public thought, throughout our forty-eight states; and in the youngest of them, most vociferously of all.

Sooner or later the debate turns upon the necessity of checking and correcting the ills of corporate management. These ills are of two-fold character: (1) those inflicted on the members of the corporation; and (2) those inflicted on the outside public

1. *As to the ills of the first class*, the derelictions or usurpations of directors, it is to be observed that such ills are such, and such only, as may be practiced by any trustee upon his beneficiary. My own observation is that as to such breaches of trust, the law of corporations and the correction by courts of equity, and criminal courts, are far more specific and more comprehensive than usually obtains in cases of personal trust.

The accountability of directors, the exhibition of their proceedings, the fidelity of their conduct, is enforced by an abundance of statutory provisions, and by judicial precedents, — civil and criminal, — for which there is no equivalent in the conduct of ordinary business. Here at least the referendum is in full force when the directors periodically appeal for the shareholders' votes. The fact that generally the proceedings of the directors are confirmed, indicates that in the main the stockholders are satisfied. Such is also the conclusion of Professor Taussig, who says: —

'It is but just to add that corporate management has often shown a high regard for the duties of directors and officers, especially in the case of those companies of moderate size in which, as has just been said, public opinion is still strong in condemning bad faith, and almost invariably even in corporations of the most miscellaneous ownership, the rights of the shareholder who is duly registered on the books are scrupulously respected. He gets the benefit of every accruing profit, of every windfall, however ignorant or incompetent he be in the details of management. This sort of regard for the shareholder indeed is a *sine qua non* of corporate investment. . . . Without the certain maintenance of the mechanism for carrying on the agreed operations, the whole fabric of corporate investment would collapse.'

This statement of Professor Taussig accords with my own long-time personal experience. In the hundreds of board meetings attended by me, there always has been apparent the most earnest desire faithfully to observe the law, and impartially to conserve the interests of all the stockholders. It would be difficult to overestimate the value of the unpaid service rendered at much risk of personal loss by directors to stockholders, who receive their periodical dividends without often reflecting that these are the results of the most attentive service by directors. The officers receive censure for failures, and but little credit for success. In general estimation the profits are made automatically by the company, while the losses are due solely to the management. If a prevalent disposition to magnify the burdens and the risks of directors were to be carried to a point where men of responsibility should be unwilling to serve, the resultant loss to the public would be most serious.

The virtue of loyalty to the corporation and its stockholders indeed is magnified to a degree hardly conceivable by those who are not practically familiar with the careers of thousands of employees of corporations whose lives have been devoted to the service of an

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organization which to them becomes an object of devotion, not unlike the church or the political party or the army or the navy, to which they may be attached. Whatever is necessary for the advancement of the interests of the corporation which they may be serving at a fixed and even meagre salary, insusceptible of increase by their action, arranges itself under the category of the absolutely necessary, justifying for its attainment a disregard of other obligations. Many of the encroachments upon the public right, and most of the transgressions of the prohibitions of the public or the moral law, have resulted from the excess of this virtue of loyalty to the corporation, by officers who had not a penny to gain or to lose by the result of their activities in these particular directions.

2. For the protection of such overzealous officers against themselves; for the protection of superior officers and directors who have no desire to be compromised or misrepresented by any sinister proceedings; for the security of innocent and unsuspecting stockholders; for protection against *corporate wrongs of the second class, those against the public*, no remedy is comparable to, nor is any more desirable than, that of suitable governmental supervision, through the system of commissions now steadily developing. Theoretically, governmental interference of this kind may seem to some to be unduly meddlesome, and beyond the limit of public right. Practically, however, it is of saving benefit, not only to the public, but to the corporations themselves attaining dimensions that strain the attention of their own officers. The experience of great common carriers under the Interstate Commerce Act of 1887; of the banks; of the insurance companies; and of the public-service corporations under the legislation of the states, justifies the belief that the great trading companies also may find support and strength through the measurable application of corresponding public supervision.

Of course, the conditions of general trade will not allow the same kind of governmental regulation as the operations of a common carrier; but the companies will be fortified, and not injured, by reasonable requirements as to visitation by public officers. The positive provisions of the law concerning corporations are fairly abundant; but as in the case of those for the preservation of the peace and the observance of moralities by private persons, habitual conformity to the law is powerfully promoted by the mere existence of the police force, even though it be called upon rarely to exert its power. The mere existence of a governmental commission would tend in advance to prevent the occurrence of wrongs, which in every sense is better than their detection and punishment. The leading companies should be, and I believe they are, prepared to accept the appointment of trade commissions, both in the states and in the Federal union. No better buffer could be devised for absorption or avoidance of the shocks between the corporations and an impatient or critical public.

The desirability of a governmental commission as to interstate trade has been indicated by both President Taft and Colonel Roosevelt, and more specifically a month or two ago, by the Commissioner of Corporations. As the Commissioner observes, 'no judicial machinery is adapted to handle this novel problem.'

An Interstate Trade Commission is the subject of an interesting bill prepared by Mr. Victor Morawetz for the Senate Committee on Interstate Commerce, which has just published it.

Of course no governmental commission should be invested with the power

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to fix prices, or to interfere more than shall be found necessary to secure fair practices and freedom from monopoly. Reasonable publicity should be secured, but without unnecessary injury to trade secrets. During the earlier stages of development every trader, corporate as well as personal, is entitled, and must be allowed, to withhold lawful processes and methods from the knowledge of competitors. It often happens that it is in the preservation of his trade secrets that the small trader finds protection against powerful rivals, and it would be contrary to sound public policy to permit unreasonable intrusion into such matters of merely domestic concern.

How much the small trader needs the protection, not only of trade secrets, but even of legalized monopoly under the form of patents and copyrights, has been indicated very recently by the National Board of Trade of Washington, D. C., in a public statement vindicating the decision that the Dick Mimeograph Company had the right to insist that users of its machines should buy only such ribbons therefor as were made by the Dick Company. The Board of Trade held that this decision was helpful to the small manufacturers, specifically as follows:—

'To-day the concerns which are combating the great combinations, the only concerns which can successfully combat the great combinations, are those which are protected by the patent law. But for the patent law there would be but one printing-press company, one typewriter company. But for the patent law the monopoly of wealth would be complete, and the opportunity of inventive genius now protected would be hopelessly stifled.'

Any governmental commission might well follow the general course indicated in the admirable report in November, 1911, of the Railroad Securities Commission appointed by President Taft, of which the chairman was President Hadley of Yale University.

This report points out, in terms applicable in respect of corporations generally, the embarrassments likely to result from any action tending to discredit issues of railroad securities already outstanding; the disadvantage of compelling railroad corporations to issue bonds at a discount through the requirement that stock shall have a par value and shall be issued for not less than par, and the advantages to be gained from statutory authority to issue for its market value stock without any nominal or par value. A statute to this effect in respect of business corporations just passed in New York offers the opportunity of issuing stock certificates for aliquot interests in the corporate capital which shall bear no dollar mark, but shall indicate only a proportionate interest in the capital stock. It is hoped that this may result in relieving a public misapprehension, and possible public injury, from what is termed stock-watering. This reform has been under way since 1892, and has been urged especially by the New York State Bar Association.

Another feature in the development of business corporations which has aroused considerable suspicion is the so-called holding company, that is, a corporation which itself transacts little or no trade or manufacture, but which holds a majority or more of the stocks, and thereby the control, of other companies engaged in such trade or manufacture. Notwithstanding an impression to the contrary, such a holding of stocks is permitted by the common law as applied in England, and by several of the American courts, though not generally in the United States. Accordingly, express permission to this end has been given by the legislatures of many of the states and, despite

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popular misapprehension, these laws have not proved of public injury. In 1909 Judge Noyes wrote: —

'At the present time the tendency seems to be toward an extension of the power of corporations to hold shares in other corporations. . . . This tendency is in the right direction. Holding stocks to prevent competition is against public policy. But with this and other appropriate limitations the general powers of the modern business instrument — the corporation — should approximate those of the individual. The occasions for corporate stockholding have increased with the increase of corporations. Statutes granting and defining the power to hold stock cannot but be regarded as desirable.'

Among the 'appropriate limitations,' probably should be one for the protection of those holders of the stock of subsidiary companies who are denied an opportunity to sell their stock upon terms as fair as those offered to the so-called majority holders. But absolutely to forbid a corporation to acquire, from willing vendors, stocks representing a legitimate business extension, would compel resort to some other expedient for accomplishing the same end. Companies, or their properties, could be brought under common control by consolidation, or, as in the case of national banks forbidden to purchase bank stocks, by the dissolution of one corporation and the sale of its assets to the other corporation. Statutes prohibitory of acts not essentially immoral are apt to reveal inherent insufficiency for the accomplishment of their imagined purpose.

For the maintenance of honest business dealings by the corporations, the government should provide laws of the same character as those applicable in respect of similar business under the conduct of natural persons. For the protection of the community against any wrongs by the directors, or by officers of corporations, the punishment should be inflicted not upon the corporation, including its innocent stockholders, but upon the offending officers; for, as Governor Wilson justly has observed, 'Guilt is personal and not corporate.' To this end the enactments of government should be such as accord with the moral sense of the community, and not disproportionate to injury inflicted upon the public. Otherwise, juries will not convict. For the proper protection of the stockholders and the creditors of corporations against officers and directors, existing provisions of law, and precedents in equity, go as far as it is possible for language to go. The impartial and consistent enforcement of reasonable laws upon lines and within principles already recognized, will represent and embody the just relation of the republic to the industrial corporation; two species of the same genus, the one political and the other economic, and each in its way representing the greatest advance in our modern civilization.

Most of the difficulties could be resolved by the guidance of a reasonable commission such as now proposed. Indeed, we may sum up the whole matter, and may answer the inquiry as to the proper relation of the government to the corporation, in our conclusion that not necessarily as creator or patron, but in the old sense of visitor, the appropriate government should provide for the great corporations, as businesses, suitable supervision and administrative regulation to forfend public injury, without denial of reasonable opportunity for just and honest enterprise.

The commission idea undoubtedly would have been abhorrent to most of the publicists of the *laissez-faire* school, but since 1870 the progress of governmental interference everywhere has been general and uniform. The state,

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personified not as monarch, but as *parens patriæ*, has ceased to devour its children and seeks to nourish its sons and its daughters. No one now would revert to conditions permitting the sale of Hessian mercenaries to die in alien strife. Few now would dispute the right of the government to keep open for its dependent citizens a way of escape from degradation. Stolid indifference to the welfare of those untaught to protect or to improve themselves, is a greater evil than paternalism, though this must not be carried to the point of pauperizing the people. To preserve a just attitude both toward the industries of the self-sustaining, and toward the helplessness of the incompetent because of ignorance, is not an easy task. Neither is it beyond the power of a civilization which is called Christian. The most reasonable and hopeful approach to this general amelioration may be found through the state's observation and fair regulation of its kindred entity, the corporation. In this process there may be developed in each at least the similitude of a soul.

THE DIRECT-PRIMARY EXPERIMENT

BY EVANS WOOLLEN

BEFORE moving buoyantly on to the initiative, the referendum, and the recall both of judges and — this latest progression — of decisions, would it not be well to take stock of our direct-primary experiment?

It has been a pretty thorough experiment. For a decade the direct primary has been increasingly used, until Vermont, Rhode Island, Connecticut, Delaware, and West Virginia are the only states in which it has not been tried. State officers are directly nominated in thirty-six states, congressmen in thirty-nine, and United States senators in thirty-four. More than three fourths of the congressmen last elected, and fifteen of the senators, had been directly nominated. In eight states, all delegates to the national conventions must under the law be selected in direct primaries.

The experiment is judged in two ways. There are those, and they are numerous, who, without caring much about the results, are content to assert that the direct primary is more democratic than the convention. And there are those who, without caring much whether it is more democratic, are interested in learning whether it has improved governmental conditions.

Shall the test be whether the direct primary is more democratic than the convention? Wherefore, then, is it said that one thing is more democratic than another? One thing is more democratic than another in so far as it is more a manifestation of the will of all the people, and less a manifestation of the will of the boss or the high-born or the priests or the rich or some other portion of the people. The word democracy, that handiest and least understood of words, is to be classified with such words as autocracy, aristocracy,

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theocracy, plutocracy — words which define each a social condition, not a form of government. The word republic, on the other hand, is to be classified with such words as monarchy, aristarchy, thearchy, plutarchy — words which define each a form of government, not a social condition. A monarchy no less than a republic may be democratic. A republic may be aristocratic, as in Athens; democratic, as, we like to believe, in the United States; plutocratic, as, some assert, in the United States. A monarchy may be pornocratic, as in Louis the Fourteenth's France; or democratic, as in George the Fifth's Britain.

Our forefathers of the constitutional period were interested in establishing a republican form of government, that is, a representative form of government. They were not interested in establishing a democracy. None of the states adopted manhood suffrage, even for the white man, until some twenty years after the adoption of our Federal Constitution.

Those, then, who would test the direct primary by inquiry whether it, better than the convention, fits into our ideal of governmental form, should ask, not whether the direct primary is more democratic than the convention, but whether the direct primary more than the convention is republican; that is, whether the direct primary more than the convention is representative. And, of course, the question is answered in the asking. The direct primary is not a closer approach to, but a departure from, our ideal of governmental form.

However, the development here in the eighteenth century of an ideal of governmental form, that ideal being a republic, was followed by the development in the nineteenth century of an ideal of social condition, that ideal being a democracy. And granting that the direct primary is a departure from our ideal of governmental form, a second inquiry, also pertinent if only it be not confounded with the first, is whether the direct primary, notwithstanding such departure from our ideal of governmental form, does not, more than the convention, conduce to the attainment of our ideal of social condition, to the attainment of democracy. This second inquiry, the more important because involving the condition as distinguished from the form, the substance as distinguished from the theory, is, in other words, whether the direct primary does not, more than the convention, conduce to the manifestation of the will of all the people, as distinguished from the will of the boss or the high-born or the priests or the rich or some other portion of the people.

Now, the will of all the people, according to the assumption on which those of us who believe in democracy base our belief, is that we shall have that government which best serves all impartially, that we shall have government for the people. Accordingly, the case of the direct primary cannot be determined by declamation about democracy; and the method, though a departure from our ideal of governmental form, should not therefore be condemned but should be tested as an experiment by the practical question: Has it improved government, government for the people?

In an extensive investigation I have not found that the direct primary has anywhere in a permanent and substantial way improved government. Here and there conditions have been made better temporarily. Here and there conditions have been made notably worse. This conclusion is held the more confidently because of admissions of disappointment by Professor Ernest C. Meyer of the University of Wisconsin and Professor Merriam of the Univer-

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sity of Chicago, who were among the reform's most persuasive advocates, and have contributed more of worth than all others to the literature of the subject. The former, while still an advocate of nomination by direct vote, admits much disappointment as to certain features and a partial change of view. The latter, although not intending to express an adverse conclusion, says, 'Some bosses are wondering why they feared the law; and some reformers why they favored it.'

The system seems to have failed in one or more of four ways.

First, everybody's business is nobody's business. Under the convention system it is the business of the party management to present good candidates for nomination. Under the direct-primary system it is nobody's business to present good candidates. Tom, Dick, and Harry present themselves, and do it early. And when those who are eager to present themselves have done so, those whom others may be eager to present will not allow themselves to be presented. Willingness on the part of adequate men to serve the public in office is rare enough at best, and willingness on the part of adequate men to undergo a protracted and necessarily expensive campaign of personalities with Tom, Dick, and Harry for the right to undergo another protracted and expensive campaign for the right to serve the public in office, is more than can be expected normally except from those at once very rich and very patriotic. This view has confirmation in Boston's experience. After the direct primary had been in operation there for some eight years the results were investigated by a commission of seven appointed by the Governor and the Mayor on the recommendation of various civic organizations. The commission was notable for the high character of its members. After a year and a half of work, it reported that the direct primary 'operates to make the nomination and election of representative citizens to the elective offices of the city government more difficult than under the former system.'

A second reason for the failure of the direct primary to improve government is that, assuming the candidates before the primary and those before the convention to be equally desirable, the better results will come from the deliberation possible in the convention and impossible in the primary. Public, not less than private, affairs are conducted most efficiently by unified administration. A cohesive, unified ticket can be made in a convention. It will not happen in a direct primary. Notably, it did not happen last spring in the primaries of Illinois where the Democrats have been embarrassed by the fact that nearly all their nominees for state offices are Irish Chicagoans. The delegates in a convention can deliberate and construct. The people in a direct primary can only flock and choose.

And, further, as a third reason for the failure of the direct primary to improve government, the people, it is found, will not do that which they can do. They will not choose. The unpurchasable element of the electorate will not stand the strain of giving its discriminating attention to an additional election with all its wearisome campaign. To be sure, the educational effect of a political campaign is important, but the voter will not stand too much education; and, besides, a campaign of personality, such as the Taft-Roosevelt campaign, and such as generally precedes a direct primary, is not highly educational. We should not forget the exceedingly significant fact that a third of the American people entitled to vote are not interested enough to vote even in presidential elections. Outside of the politicians there is no

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disengaged political interest ready to be absorbed in direct primaries.

The fourth reason is the loss of party responsibility, and the loss of the efficiency of the party as an organization. By party responsibility is meant the responsibility of the party, regarded not as a mass of voters, but as an organized unit. And it was to be expected that party responsibility in this meaning would be greater in the case of a candidate presented by party workers, and nominated in a convention where the organization wrought its will deliberately by a majority vote, than in the case of a candidate presented by himself to the unorganized voters, and nominated perhaps by a minority vote in a direct primary.

It was to be expected also that party efficiency would deteriorate under the decentralizing influences of a direct primary.

And what was to be expected has in fact, generally happened. The Boston commission found that under the direct primary there was 'no longer the partisanship of a great organization bound, theoretically at least, by party principles, and having some regard for its political responsibilities in the state at large.'

The alleged loss of party responsibility and party efficiency was investigated also by the Joint Committee of the Senate and Assembly of the State of New York on Primary and Election Laws. It conducted some sixteen public hearings in various parts of the country. This committee, in reporting adversely on the direct primary, stated that 'no political movement in recent years had . . . split national parties into such bitterly opposing factions, as has the agitation and the operation of the direct-nomination system.' . . .

About the existence of the facts there will hardly be any dispute. Loss of party responsibility and party efficiency does ensue. But some, while admitting the inevitableness, and indeed the desirability, of parties in national and state affairs, will say that, in so far as the direct primary weakens parties in municipal affairs, it is a good thing. Possibly — but, without going afield in the consideration here of that subject, it is a sufficient answer for the present purpose that the direct primary is not the only method of weakening party rule in municipalities. And, in any event, the loss through the direct primary of party responsibility and party efficiency must, with reference to national and state affairs, be regarded as important.

It was these four reasons for failure which led Governor Hughes to the development of his plan for a direct primary that was in fact not a direct primary in the popular meaning of the phrase. Indeed, the most interesting and significant thing about the Hughes plan was that it included the essentials of the convention or representative system. Briefly, his plan was as follows: —

A party committee is chosen at a direct primary this year. Several weeks before next year's primary this committee, in a meeting where every act and vote are open to the public and are recorded, presents one candidate for each office in its jurisdiction. Other candidates may be presented by the petition of members of the party not satisfied with the committee's candidates. From the candidates so presented by the committee and from the candidates, if any, presented by petition, nominations are then made at a direct primary.

Here, then, is a plan under which, first, it is the business of somebody, namely the party committee, to present good candidates for nomination; under which, second, deliberation may be had in a representative body, the represent-

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ative body being the convention of the party committeemen; under which, third, the electorate is not subjected to the strain of giving its discriminating attention to an additional election except when the party committee, by presenting unworthy candidates, has aroused the indignation of the electorate; and under which, fourth, the responsibility of the party management is direct and unescapable.

Thus, the Hughes plan, while in its operation it might tend toward 'legalized bossism,' seems, on the other hand, less than the typical direct primary, to offer opportunity for the demagogue. And it is easy to agree with those who hold the demagogue a greater peril than the boss. The plan is one whereunder a club is put into the hands of the rank and file for use on the party organization, — a club which, however, merely because of the knowledge of its existence, the rank and file would not often have to use. The Hughes plan for a direct primary, in other words, accepts the party organization, the party machine. The typical direct-primary law of the West, on the other hand, is planned for the fundamental purpose, simply stated, of smashing the machine — of smashing the machine while trying to maintain party government. Now, smashing a particular machine which has become too bad for tolerance is fit work for Anglo-Saxons. But to go crusading against all machines because they are machines is a Don Quixote sort of undertaking. If we are to have party government we must leave to the politicians the making of the party nominations; and such virtue as the Hughes plan may have lies in the fact that it leaves the job to the politicians while giving to the rank and file a club and freedom of action when the job is badly done.

It is indeed to be regretted that the Hughes plan, instead of the emasculated substitute, was not enacted in New York where its operation could have been observed by the remainder of the country. Doubtless the plan will somewhere be put into practice, and it will not be surprising if its general adoption is the next phase in the development of our nominating methods. In the meantime, we are pretty well assured that there is little in our decade of experience with the direct primary, culminating in the recent presidential primaries, to justify those who, with the initiative, the referendum, and the recall, would go further in an effort to get good government by abandoning representative government.

And how we Americans are plagued by the obsession that everything, even good government, can be secured by legislation!

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THE SIGNIFICANCE OF THE RECALL OF JUDICIAL DECISIONS

BY KARL T. FREDERICK

In his address before the Ohio Constitutional Convention some months ago, ex-President Roosevelt said, 'I do not believe in adopting the recall (of judges) save as a last resort, when it has become clearly evident that no other course will achieve the desired result. . . . But there is one kind of recall in which I very earnestly believe, and the immediate adoption of which I urge. . . . When a judge decides a constitutional question, when he decides what the people as a whole can, or cannot do, the people should have the right to recall that decision if they think it wrong.'

The recall of public officers, as one of the more radical proposals for political improvement, is quite familiar. It has been particularly discussed in its application to judicial officers. The Recall of Judges has received substantial support, and has even been adopted by a few states. On the other hand, it has been strongly condemned by leaders of both great parties. President Taft, himself formerly a judge of the Circuit Court of the United States, has denounced the proposition unqualifiedly. Governor Wilson of New Jersey has been equally direct and forceful in rejecting it. Senator and former Secretary of State Root, and Governor Harmon of Ohio, have also publicly taken position against the Recall of Judges.

Much of the discussion which has followed ex-President Roosevelt's proposal for the Recall of Decisions has indicated that it is regarded as novel in form only. The belief appears to be entertained by many people that the Recall of Decisions is substantially the same as the Recall of Judges — that it is merely new clothing upon an old character. If so, it need hardly receive distinct consideration.

Others seem to regard it as an essentially different proposal; perhaps, as an effective means of accomplishing reforms which they think necessary, and as free from the more serious faults which have drawn such liberal criticism to the Recall of Judges, — a counter-proposition of superior merit.

The purpose of the writer is neither to defend the Recall of Judicial Decisions, nor to abuse it, but rather to examine it, and to get at its more important qualities and characteristics.

It is obvious that the Recall of Decisions does not threaten the official head of either a corrupt judge or an unpopular one. The Recall of Judges directly threatens both. One of the weaknesses of human nature lies in the fact that disappointment over a decision frequently produces a belief that it is unjust. We may admit that occasionally a judge is influenced by improper motives. For such rare cases, the Recall of Judges would provide an effective method of removal, provided they could be identified in some rather more certain way than by haling them before the Court of Editors, for

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whom, by the way, no recall is provided.

The Recall of Decisions, on the other hand, provides no improvement over the present method of getting rid of corrupt judges. It is to another class of judicial officers who are subjects of criticism — those whose decisions are unpopular or who, to use the softer epithet, 'are not sufficiently responsive to the popular will' — that the Recall of Decisions is directed. For them it proposes neither punishment nor disgrace, but 'correction.'

Is it genuine 'correction'? The theory was long ago adopted that judges do not 'make,' but merely 'declare,' the law. If the law is not what was intended, legislative correction is possible, and often speedy. Ought we to expect the courts to make of the law something which it was not? Judicial legislation is apt to involve more danger and criticism than any that has up to the present time been met.

But the advocates of these doctrines of recall are not to be satisfied with arguments which go no further than this. There is, they say, a borderland in the law, where the time-honored theory that judges merely 'declare' the law is not a fact. There is a region where many of the most important questions are contested, where the law is not settled. This is the region of live issues. It is in the exploration of these new and unsettled territories that courts and judges become of most serious concern to the nation, for by their mouths shall ultimately be expounded the new commentaries.

This is peculiarly so because in this country we have made for ourselves written constitutions, whose dominance over legislative acts is asserted through the courts. In this realm, we are told, the courts do not merely expound the law; they in a very real sense make it, and, it is asserted, they can and do make it one thing rather than another according as they are in sympathy with one set of ideas or with another, or at least according to the weight which they give to one set of arguments or to another.

Take as an example the much-discussed Ives case referred to by ex-President Roosevelt. In that decision the highest court of the State of New York declared unconstitutional an employer's liability act. The act in question provided compensation to a workman for injuries received in the course of his employment without regard to whether his employer was in any way blamable for such injuries, and without regard to whether the employee had himself been negligent. It was attacked upon the ground that it violated the constitutional provision against depriving a person of his property without due process of law. To make this claim more concrete, it was argued that the legislature was providing a way for taking the employer's property for the benefit of the employee, without the employer being in any way at fault, without his having violated any duty owed to the employee; and that such taking was without compensation and unconstitutional. On behalf of the employee it was argued that the employment was inherently dangerous, and that the employer, rather than the employee, ought to bear the risk of the employment as part of its general expense, lest the injured employee become a public charge.

In other words, it was the conflict seen so often between the long-established views as to the rights of property and the more recently expressed feeling as to public interest. Almost every regulation deprives a person of some feature of liberty or property. The line of demarcation beyond which burdens upon private rights are not

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allowed under the constitution seems, practically speaking, to be that limit where the court feels that, on the whole, the public interest or concern involved is not sufficiently weighty to overbalance the encroachment made upon the property rights and privileges of the individual.

Where that dividing line is drawn in the particular case may well depend upon one's personal view. One judge may not give to the argument of public interest quite the same force as another. When the popular feeling is very strong to the effect that the public need is great, there is bound to be disappointment when the court decides that such public need is not great enough to outweigh the inroad made upon the private right; and the feeling is at once likely to be expressed that the court is out of sympathy with the public interest, or 'is not a faithful public servant.' From this feeling springs, we are convinced, the present demand for the greater popular control of judges and decisions.

The Recall of Judges does not offer any machinery for reversing the decision or line of decisions which has become the subject of criticism. Such decisions continue, until reversed, to express the law upon the subject. Their author, however, is to be punished for so declaring the law. The only assurance of their later reversal lies in the probability that a judge will not again risk recall by following them.

This is at best an uncertain assurance, for it will almost invariably happen, if we may judge by experience in other lines, that, in the heat of a special election, many and varied arguments will be urged to accomplish the recall of a judge. Every special interest which smarts from any of the court's decisions will endeavor to bring its friends into line to vote adversely. If the Recall is to be of any value we must be able definitely to say just what the issue is. How shall the issues be clarified and made concrete? When it is all over, who will be able to define with certainty the one reason for the result? What will have been repudiated? It will be as difficult to say what the concrete and specific will of the people is as it is now to say what *single* issue caused the election of a governor or a president. A combination of causes will produce the Recall of Judges.

Courts, on the other hand, deal with specific and concrete questions, and the successor in office may deal as he pleases with individual cases, provided he is a shrewd enough politician to avoid a future conjunction of causes sufficient to overcome the combinations which he can muster to his support. Or assume that an entire court has concurred in a decision, as the entire court of seven judges of the Court of Appeals concurred in the Ives case. Is it proposed to recall all of them? If they are voted on separately, and by name, may it not happen that some would fall and some remain? If so, who could say what the election had settled?

The Recall of Decisions is in these respects undoubtedly more precise and effective. The question is more clear-cut and easily understood. Shall a decision nullifying a particular legislative act upon constitutional grounds be and remain the law, or shall it be in substance overruled? The question is shifted from men to principles, and the issue is made impersonal and concrete.

In working out the plan for the Recall of Decisions it is hardly conceivable that any one should seriously suggest a new Court of Errors and Appeals to be superior to the highest present court of the state, in which new court every voter would be a judge. It is hardly conceivable, in other words, that the recall of a de-

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cision should have the effect of actually reversing the decision of the highest court *in the particular case* which has led to the unwelcome decision upon the question of constitutionality.

To illustrate. The Ives case already referred to was an action brought by Earl Ives against the South Buffalo Railway Company to recover compensation under the so-called Employer's Liability Act for an injury which, according to his own statement, incapacitated him for a period of seven weeks. The highest court of the State of New York decided that he could not recover upon the claim stated, for the reason that the law was unconstitutional. Should the Recall be applied to that decision, the issue would not be whether Ives should be paid for the seven weeks' incapacity, but rather, whether the decision of the court as recorded in the Ives case, to the effect that the law was unconstitutional, should continue thereafter to be the law of the state.

If the Ives case had been dismissed by the judge at the conclusion of a trial, on the ground of the unconstitutionality of the statute, and if the highest court of the state had affirmed that ruling, the recall of the decision ought not to send the Ives case back to the first court for a new trial. The recall of the decision could hardly mean more than this: 'The state regrets that the constitution means what the court declares it to mean in the Ives case. The constitution is therefore amended so that henceforth it shall not forbid the legislative act in question, which is hereby validated.'

We say that the Recall will not reverse the decision in the particular case. The particular case which disclosed the 'hitherto unknown defect' in the constitution will be and remain *res judicata*, just as any other case is *res judicata*, although its rule is later repudiated or modified. But the Recall will change the constitution from that time forth.

To attempt to give to the Recall of Decisions a wider scope than this, would be to wipe out with one stroke every vestige of orderly judicial procedure. The line is clear, and the difference fundamental. If this is a new Court of Errors and Appeals which is proposed, then where and when and how shall the parties present their arguments? Who shall represent and speak for the appellant, and who for his adversary? How shall we get the record before the court? How shall we confine the 'case on appeal' to the sworn evidence? How shall we assure to either party any thoughtful consideration of the merits of the case? Shall we require both parties (for we must assume a hazard to both in connection with the reopening of any decision) to resign their interests to the advocacy of the public prints; or, as the alternative, shall we require them to hire speakers and buy advertising space in order to present their side to the public? How shall we avoid the treachery of those who distort or suppress the facts? Innumerable difficulties will occur to any one who contemplates trying his case in the newspapers. Litigation would be made a matter of a political campaign.

We need not multiply difficulties of this sort, for there are objections of another and seemingly more important nature. It has always stood as the cornerstone of the Temple of Justice that the judge shall not have a personal interest in the case which is being tried before him. No one may sit in judgment betwixt himself and his adversary. If we make of the people a court, we necessarily abandon this principle, for the Recall of Decisions as an actual proposition would never have seen the light of day were it not for the fact that the public at large is believed to

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have a strong partisan interest in the decision of such questions as were raised in the Ives and other cases.

The belief that the decision of specific cases should be left to able and disinterested men, has hitherto been universally approved. To establish a rule of conduct in advance is a very different thing from applying it to the particular case. The trouble lies not in establishing the rule, but in applying it when it pinches. Shall we make a fundamental rule of conduct and then, when it chafes a bare majority of us, shall we abandon it? Shall we object when it is applied to ourselves? If we mean to do so, let us do so frankly, and in a straightforward way, and not by a miserable quibble. 'This is a rule that works in only one way, always for us, never against us.'

Shall we, having established the rules and begun the game, change them while the game is on, if it is going against us? Let us not set ourselves up as judges in our own law-suits. Let us play fair. Let us not attempt to escape by pretending that we are 'interpreting' the rule as it should be; let us not force the court to adopt the 'interpretation' of that contestant who can display the greatest force. Let us say, 'We made the rule, and we stand by it for the present, although now, in operation, we do not like it. Hereafter let it be amended.' The latter is not only the honest thing to do, it is the scientific thing to do. It is legislation, and that of the most fundamental and sovereign sort.

The distinction which we have been making in the application of the Recall of Decisions, between applying it in a way to affect the particular case, and applying it solely to reach the principle involved, is the distinction between the legislative and the judicial branches of governmental power. That these functions of government are distinct has become the merest truism. The attempt to confuse them has produced a large part of the discussion, violent, acrid, and sustained, which has arisen over these suggestions of recall.

The people are sovereign in these United States, and, as sovereign, the people can and do establish laws — both the fundamental constitutions and the annual volumes of statutes. The sovereign people likewise establish the courts to weigh out justice under those laws between man and man, or between man and groups of men; but the term 'the people' is not synonymous with the term 'the sovereign people.' If every voter owned one share of stock in the Standard Oil Company, that corporation might be said to represent 'the people,' but would it thereby become 'the sovereign people,' with power to legislate and establish courts, to make war and punish crime? Because more than half of the people have a common interest in the outcome of a certain lawsuit, they cannot for that reason appropriate the attributes of sovereignty. They are interested in their individual capacity as the group, not as the sovereign. When the public in that sense is before the court, it is simply a litigant suing for justice under the established rule; and to advocate the principle that it should coerce the court by its great numbers into a favorable decision, is no different in principle or in morals from advocating the doctrine of the sale of justice to the highest bidder.

When the people appear as the substantial litigant, let them submit to the laws and to the courts which the sovereign has established. If those rules are not satisfactory, let them, if possible, persuade the sovereign, thereafter, to change the rules. That is orderly and proper procedure. It is

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not sound in this case to say, the people established the constitution, they are therefore capable of interpreting it. They established the rule in their capacity as sovereign when they were impartial. Are they, therefore, to interpret it in its application to a specific case involving their own personal interests when they have ceased to be impartial?

To put the matter briefly: if the proposal for the Recall of Decisions be applied in the manner which we have suggested as the only possible or defensible manner, then it is a method for *amending the constitution*. As we suggested some time ago, it is a way of saying, 'We do not like the present rule, and we are going to change it so that henceforth the rule shall be thus.'

Viewed from this standpoint, the Recall of Decisions is not only fundamentally different, but is vastly superior to the Recall of Judges, for it is more practical, scientific, and effective. To recall a judge, or an entire court, neither changes the decision in the specific case, nor changes the constitution so that a different decision can be logically arrived at in another case.

Assuming from this point that the Recall of Decisions is intended not to establish a new Court of Appeals, but as a new method for amending the constitution, what may it accomplish? It is proposed solely as a state institution. 'The decision of a state court on a constitutional question should be subject to revision by the people of the state.' (Ex-President Roosevelt.) Now, the Ives case and many of the other cases involving constitutional questions of great popular interest were decided not only under the provisions of the state constitution, but also under the Constitution of the United States; for, as every one knows, the powers of the legislature of each state are limited by dual constitutional restrictions.

If the Ives decision were recalled, the result would be that the constitution of New York would be amended so as to permit the legislation in question. When, therefore, the next case reaches the highest court of New York, we should expect its decision to be that the act is constitutional so far as the state constitution is concerned, but that it violates the Federal Constitution. Such a decision would leave the advocates of the law exactly where they were in the first instance, for the reason that the Supreme Court of the United States would have no jurisdiction to review the decision. When the constitutionality of a state law is questioned under the Federal Constitution, and the decision of the highest court of the state is in favor of its validity, appeal may be made to the Supreme Court of the United States; but the rule is otherwise when the highest court of the state decides against the act on the ground that it violates the Constitution of the United States.

Here is a new difficulty. The people of a state can change the constitution of that state, but they cannot change the laws or Constitution of the United States. Perhaps the United States can be persuaded to change its law. If not, then the test cases will have to be brought in the United States courts in the first instance.

In some way the Supreme Court of the United States will have to pass on the question in almost every instance. Does it not seem strange that any state should prefer the judgment of a court responsible in no way to the people of the state, — perhaps chosen entirely from other parts of the country, — and as it would appear from the expressions of the advocates of the doctrine, infinitely less likely to be familiar with, or to respond readily to,

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the desires of the people of one state in respect to a law which 'they deem necessary for the betterment of social and industrial conditions'? The decisions of the United States Supreme Court have not hitherto received such unanimous popular approval, either before or since the Dred Scott case, as to give it a clear, popular advantage over the state courts.

Even a somewhat casual examination of the decisions of the Supreme Court will, we believe, indicate a strong probability that its opinions will not be markedly different from those of the courts of the larger and more important states. It is not apparently disposed to be so much more liberal in its interpretation of the scope of the police power, or of due process of law, as to make it a genuine haven of refuge for the more ardent advocates of so-called 'social justice.' It is not many years since its decision in the Bakeshops case (Lochner *v.* New York, 198 U. S. 45), decided in 1905, incurred displeasure which was as vigorously expressed as that which is now directed at the Ives case. Reflection, we believe, will convince one that the margin of advantage is likely to prove so narrow as to make it improbable that there will be any very substantial increase in popular satisfaction. We shall then, no doubt, observe the active discussion of various proposals for remaking or radically amending the Federal Constitution. All such programmes are, however, definitely disclaimed at the present time by the advocates of the Recall of Decisions.

Viewed, therefore, entirely from the standpoint of practical and effective reform, the Recall of Judicial Decisions is, in almost every important respect, superior to the Recall of Judges. It does not, however, promise in any very substantial degree to smooth the path of social workers and philanthropists. The longing for a more paternal government, and for more charitable laws, requires some more effective weapon. This proposal merely renders our state constitutions almost as readily changeable as are our statutes, by making it possible and easy to amend the state constitution to fit any statute which is popularly approved. It is not a revolutionary proposal. By making constitutional amendment somewhat easier, it will tend to decrease the weight and serious effect of those fundamental laws. It does not, however, provide any means for upholding the statutes against the Federal Constitution which they may often, if not always, be obliged to encounter. Whether the Recall of Decisions should be adopted, is, like most other political questions, purely one of expediency. To enter upon the discussion of that phase of the question would lead us too far afield into the region of partisan political controversy.

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THE CRISIS IN TASTE

BY WILBUR MARSHALL URBAN

I

For those who have cultivated a conscience in such matters, the reading of modern books has become a perilous pastime. So great have the exactions of taste become, that many have come to abjure its obligations entirely, and have given themselves frankly to the enjoyment of the adventure of the moment. It is not merely that between ourselves and the past a great gulf has been fixed, so that it is with difficulty that we return. That indeed is something. But still more disconcerting are the untimely compulsions of an unknown and unknowable future, that drive us on from a present that we have not yet had time to realize and to make our own.

Compelling the modern spirit certainly is, and the very essence of its compulsions seems to be the denial of all those reticences, the spurning of all the indirections, that have hitherto been counted the signs of good taste.

'Down with Reticence, down with Reverence!
— forward — naked — let them stare.[1]

Thus Davidson has phrased the modern mood, and has not hesitated to call it great. Whether great or not, it is at least breezy, if one may apply so light a phrase to so weighty a matter. Surely Mr. Wells's Ann Veronica is breezy enough. She is in the van of that whole rout of breezy heroines which, like some band of bacchantes of old, has with its shouts of 'Evoe' broken in upon the quiet, sun-lit valleys of our taste. Harsh, indelicate, strident, or merely ridiculous, if they are not the one they are the other. And yet, perhaps, far back in the fastnesses of the soul there lurks the man who loves to have them so. For who are the women that come to men in dreams?

At least, many of us would confess that it is in the current of this mood that we have been caught, and frankly admit our tastelessness. And yet we are not so sure. Sometimes we have a strange sense of a new taste in the making; and that which might easily be set down as license of sense or intellect seems strangely like an obligation of the soul.

Precisely in this matter of what is admirable in woman we are not wholly clear. That it is with a profound, if not wholly articulate, philosophy that the sense of the admirable in woman has always been bound, we are well aware. Man has loved to have her reticent, inscrutable, and indirect in all her thoughts and ways; thus she becomes the palladium of his deeper self, the assurance that desires shall never fail. The grace, the beauty of life! — these, it is felt, are bound up with a perfect harmony of impression and expression, of idea and emotion. As instinctive grace of movement or of speech may be thrown into confusion and ugliness by the presence of ideas, so, it is thought, the gracious habits of

[1] In one of his essays, John Davidson takes this as his own, assuming that every reader would recognize Tennyson's line — The Author.

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the woman of classicism and romanticism cannot survive the direct gaze of the intellect.

Doubtless, it is upon many curious sanctions, both racial and religious, that the conventions of taste mysteriously feed; but their ultimate strength is drawn from a still more mysterious prevision of the dissolvent effect of intellect upon instinct. Instinct knows that it is by nature both indirect and reticent. It knows, or thinks it knows, that by its silences, its waiting, its ignorances, and indirections, it most surely gets what it wants. The direct way is not the shortest way to its goal. The direct gaze, the direct attack on life, mean disillusionment and distaste. Of this, I say, we have been nowhere surer than in all that concerns the relations of men and women. When, therefore, the modern writer seeks to find a new grace and beauty of the soul in the woman who can endure ideas, when he seeks for purity, not in reticence, but in revelation, he has thrown the supreme challenge at the taste of indirection; he has definitely abandoned the philosophy of instinctive silence, with all its most subtle implications of the massive and sullen elements of life.

There can be no doubt that it is here that, consciously or unconsciously, the feeling after new standards of taste has been most persistent. Like a magazine editor of recent fame, you may fail to 'find impressive' a list of names including those of Thomas Hardy, Bernard Shaw, Arnold Bennett, Eden Phillpotts, W. J. Locke, Maurice Hewlett, John Galsworthy, and H. G. Wells; yet it remains true, not only that all that is living and original in modern literature is at home in this group, but also that that which makes such a grouping significant is that all are groping after just such standards of taste, seeking for feelings and sentiments that shall express our real convictions.

True, the approach is made in various ways. Thus, to mention but a few of this particular group, Mr. Shaw has this conviction, but he breaks the force of the shock by the katharsis of laughter; Mr. Locke has made use of the device of the simplicity of fools, and of the old story of Madam Truth, spurned by king, philosopher, and priest, finding lodgment at last with the fool. Mr. Hewlett—he has his devices also—not merely, some would say, perhaps, the wisdom of fools, but also the foolishness of preaching. And so with most of them. The truth is, that all these men, however startlingly direct their gaze at times, always make use of certain indirections; all have their own ways of giving 'distance' to their objects.

With Mr. Wells, however, it is another matter. He has ventured something more. He will be wholly frank with us. What we could formerly endure only in the hyperbole of Whitman, he will make us now endure in sober prose. He will even risk the dire nemesis of the comic. He chooses the laboratory as the *mise-en-scène* of his romance, where the direct gaze at the facts of life is transferred to the facts of love. He allows the stirrings of love to arise, almost ridiculously, with the sight of the down on the demonstrator's cheeks. He will let his heroine be quite frankly glad of her sex; let her tell him that he is the man she wants. In the mountains they will stand stark, stark before each other — and yet, such is the superbness of his faith, the graces of instinct and life are safe, absolutely safe.

I have dwelt thus at length on Mr. Wells because I believe that in one sense at least he is the most significant of them all. It is not that he surpasses the others in his faith in this new and perilous beauty, or in his success in showing it forth. This one could hardly say. Not merely that he is more audacious in seeking it, although his au-

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dacities are perhaps just a little more flagrant than any we have heretofore known. *The New Macchiavelli* might perhaps be called the *pons asinorum* of modernism; but this would simply mean that this pons asinorum that has always existed is now merely a little harder to cross.

What is still more important is that Mr. Wells, of all the moderns, bases his challenge most deeply in a significant philosophy of things; that he expresses more fully the true inwardness of the modern mood by which we are driven on. Indeed, in all this Mr. Wells is more than a bit doctrinaire. He is even somewhat priggish, if that were posssible. He not only violates all the canons of the taste of indirection, that the possibility of a gospel of starkness may be the more abundantly proved; but he also goes out of his way to show the essential pruriency of the souls fat with feeding on indirections. One even smiles at his harping on the point, when he makes his heroine of the direct gaze recoil instinctively from the sentimentalizing of sex in the pictures acclimated to the Victorian parlor, and allows the purblind denizens of this same sordidly respectable parlor to display the essential baseness of their conventional souls.

But if Mr. Wells is a bit doctrinaire, — and, indeed, who of these men is not? — it is because his plea for the direct gaze in such matters is by no means merely a matter of taste or sensation, but is in fact in every sense a doctrine, a philosophy of life. If the open gaze can be preserved without blinking, if ideas can be endured without intellectual pruriency, it is merely because all things, life and death, the first things and the last things, are meant to be looked at. If he is willing to risk the nemesis of the comic here, it is because he can say as the conclusion of the whole matter, 'What does it matter if we are a little harsh, a little indelicate, a little absurd, if these are in the mystery of things?'

II

It is in these last words, if I mistake not, that the true inwardness of the modern mood is to be found, that mood into the current of which many of us have felt ourselves drawn. Indeed, these very words might not inaptly be put into the mouth of any one of these breezy heroines at whose descent upon the silent places of the soul we have taken alarm. Harsh, indelicate, absurd? — Yes, we are — a little. But what does it matter? — Who of them has not pressed this question home? — What does it matter, when it concerns the 'first and last things,' meant to be known and understood; when, indeed, it is in the very mystery of these things? Words of an extravagant tendency, these; but it is just this extravagance, this risk of indelicacy, absurdity, harshness, — in short, this note of the spiritual picaresque, with all its enveloping sense of the mystery of things, — that characterizes the mood of the present.

That this is a 'great mood,' either in its mere abandonment of reticence and reverence, as Davidson sees it, or in its affirmations of faith, as Wells conceives it, — who shall say? To many, this strong note in our modern taste seems merely the absence of all taste. Strident and willful, its beauties seem restless and unrestful, its sublimities specious and meretricious. To others again, it is a new taste in the making, the sign of an instinct for superhuman truths, a premonition of a new though perhaps perilous beauty. One thing at least is certain: it has its metaphysical implications; implications that extend far beyond those relations of men and women, in the judgment of which it has

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been, perhaps, most in evidence. Here, doubtless, the strife of tastes is most piquant. Here the spiritual picaresque, with its willingness to risk the harsh, the indelicate, the ridiculous, challenges reserves that are most sullen and elemental. For this reason, doubtless, also, it is here that the modern spirit finds the *crux* of the whole matter. Yet sex is not the only thing about which the modern mind revolves. There are life and death, wisdom and destiny, — all the first and last things. And be assured, he who is willing to risk harshness, indelicacy, and absurdity, in those intimate matters of feeling where the tender, the delicate, and even the sublime alone, have made them endurable, does so only because he is also willing to risk the irrational, novel, and unpredictable in those more remote issues of thought where hitherto the solemn, the rational, and harmonious have alone been conceivable. Adventures in taste are not unconnected with ventures in thought; and to dare either is possible only in the strength of a renewed conviction, everywhere asserting its power, that these very things which we feel ourselves impelled by unknown forces thus to risk, are themselves in the ultimate mystery of things.

To conceive the crisis in our taste otherwise, is to misunderstand the whole matter. Nor is it less of a misconception to think of it as some light stirring of the surface of things. One is not long in learning that this is no superficial matter of the intellectualist's nerves, no over-stimulation of the delicate antennæ of taste, but a disturbance of the more massive tissues of the soul. Many of the changes in our taste are doubtless superficial, and can be explained by very human, and not too serious, causes. Men find themselves with a taste for realism because they have become tired of sentiment. They become enthusiastic for impressionism because they have worn out the things. They call themselves futurists because they have a morbid distaste for the past. Indeed, it is these very changes to which we can so readily give a name that need not concern us. Probably most of us are aware of having escaped the temporary intellectualisms of taste, of having passed them by, or lived them through. But underneath them all we are aware of something deeper — nothing less than a profound turning of the Time-Spirit itself.

The current you feel goes through the Man in the Street; the tastelessness to which you confess is but a sublimated vapor from his great unrest. To admit this kinship is, I am inclined to believe, the beginning of wisdom in the matter. It is true, you may not share his savage delight in cruder forms of nudity, but you must confess to your liking for the intellectual unveiling of reality. You may not care for his childish pleasures in mere freedom from fact, 'for adventure and play beyond causality,' but you have a liking for the spiritual picaresque, for the strenuous adventure beyond good and evil. You may be disposed to attack the purveyor of amusement for what he has done to the Man in the Street; and the purveyor of modernity for what he has done for you; at least there is something both thrilling and challenging in the impudent assertion of our common tastelessness. For each in his own way has found out the impossible world in which we live. In the world of sentiments we cannot find support; in the world of mechanism and intellect we cannot find delight. Hard and realistic, picaresque and passionate, the intellectual and the Man in the Street are brothers under their skin.

Now, there are those who like to say that all this is but the last stage of naturalism, that the mood we have been

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describing is but the bitter dregs of the whole dreadful cup. In a sense they are partly right; in another sense they are wholly wrong. True, it comes from the very depths of naturalism; the audacities of to-morrow spring from the depressions of yesterday; the fire of new affirmations has been struck from the coldness and hardness of negation. As these have given nerve to the passions of the Man in the Street, so to the dreams of poet and philosopher they have given substance and reality. In this mood, it is true, you will find all the discipline of naturalism: the direct gaze, the endurance of ideas, the hardness of spiritual fibre.

But you will also find something more, something not present in earlier realism, something that really marks its passing. In naturalism there is no place for this joyous acceptance of harshness, indelicacy, absurdity; still less for this sense of the extravagant mystery of things. In naturalism there is hardness, but not this splendid hardihood of soul. This is the new spirit that, like a breath from the unknown, has not only blown away the outlived sentiments of the past, but has dispersed the sultry clouds that had settled down upon naturalism itself.

But let me try to make my meaning clearer. Ibsen has said of a group of his compatriots, 'All these men had to fight their way to skepticism, and then to fight their skepticism.' Similarly, of those that have come after Ibsen, it may be said that all had to fight their way to naturalism, and then to fight their way through. Of the vicissitudes of that adventure we need not be told. Forward and backward they pressed, to the origins of life and the finalities of death. At the revelation of the lowly origin of all our modesties, of the precarious sanction of our nobilities and sublimities, they became sick at heart. But just as they had reached the limits of thought and will, the first things and the last things, there came I know not what change over the spirit of their dreams. At least they were able to say with a new and unheard-of audacity: What does it matter if intelligence — questioning, truthful, bold — show us our instincts for what they have been, with all their harshness and indelicacy, if it also enable us to clarify our presentiments of the harmony and beauty which, despite their wanderings and illusions, they have never ceased to mean? what does it matter if *both* are in the infinite mystery of things? It is the translation of this revulsion of thought into the audacities of action and feeling that gives the key to the life and art of the present.

'Whatever we want to do, we must,' says Solness in Ibsen's *Master Builder*. This is the last word of naturalism. But the spirit that followed naturalism has a new word: What we really, at the bottom of our hearts, want, that we also choose; and in choosing it we shall find the truth of desire and the beauty that alone is intelligible. This, at least, is the inspiration of all those hardy poets and novelists who have ventured to tear the veil of illusion woven by our unconventional selves, and to show us, under its apparent truth, the deeper truth of that which we really will to be.

III

All this may seem somewhat remote from the breezy heroines, the moral and spiritual picaresques that challenge the taste of the present. But in truth, as one soon comes to see, it is the very heart of the matter, for taste is indeed the most metaphysical of all things. After the ebb of will there has come the flood-tide of willfulness, after the *impasse* of intellect, the struggle to break through. If, therefore, we find

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something harsh and ridiculous in the disorderly vanguard of our modern taste, it is merely that we are hearing the tumult and the shouting of those who have fought their way through.

It is easy to deride the extremes of affirmation and negation, the extravagances and contradictions that characterize the modern mood; it is much more important that we should understand them. It is something at least that we are coming to know that they are the fruit of no casual motion, but have their roots deep in the vicissitudes of the spirit — that in them we may find the whole equivocal story of man's adventure with nature, the alternate heats and colds, the cosmic depression and cosmic elation, the hardness as well as hardihood of soul; and that all these have had their part in creating that tension of will, that springing back of instinct and emotion, that gives rise to the extravagances of the present. For if we have at times reached the limits of taste, it is, after all, because we have also reached the limits of thought and will. If, in all that concerns our feeling in matters of literature and art, we are inexorable in our demands for the impact of reality, it is because reality itself has not been sparing in the demands it has made upon us; and if, finally, we have at times a somewhat urgent sense of a new grace and beauty in the making, it is because there has also been forced upon us a revaluation of our ideas of the good and the true.

To know all this, I say, is something; and doubtless you are aware of the affinities of thought and feeling between, let us say, a James and a Wells, a Maeterlinck and a Bergson; but if you know this you will also be aware of something more — of a curious resurgence of faith, of a renewed sense of more ultimate things, which even the extravagances of the moment cannot wholly hide. One might almost believe that this is fully understood by us deep down in our hearts. For, after all, one cannot be extravagant without a persuasion, founded or unfounded, of the inexhaustible riches of the soul. If one does not risk harshness, indelicacy, and the ridiculous (still less the irrational, disorderly, and unpredictable), unless he believes them to be in the exuberant mystery of things, no more does one risk them unless this same mystery, so lightly and so hardily fronted, be also felt to contain, above them and beyond them, a world of inexhaustible values; unless indeed — and this is, perhaps, the *credo quia impossibile* of the modern mood — 'we are at once absurd and full of sublimity, and most absurd when we are most concerned to render the real splendors that pervade us!'

In all this, it is true, there is scarcely complete justification for our audacities; but it is at least something to know that when, perhaps against our will, these purveyors of modernity, with all their absurdity, indelicacy, and harshness, succeed in putting us on their side, it is because the silent processes of the life and thought about us have already smoothed their way; to know that if, with them, we are willing to contemplate the possibility of truer virtues in men and women, a truer manliness and womanliness in volition that is without indirections, a deeper purity in revelation — that if, for example, to take one instance from many, we are persuaded that 'real justice is beautiful in Marco, real morality in Vanna, and real love in Prinzivalle,' it is because we have been compelled unconsciously to reconstruct our conceptions of reality and truth, because the same forces of life that have broken up the external and rigid categories of the intellect, have at the same time

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fractured the conventions that incrust the soul.

It is even more to know that if we are sometimes over-reckless with the beauty that has been found tried and true, it is because we are aware of a still more intelligible beauty yet to come; if, for the moment, we appear too garrulous of life, it is only that we may suggest its deeper silences; if, for the time, life may seem to be made unlivable, it is only that we may make possible that deeper life that is already partially and unconsciously lived; to know, in fine, that if we have come to exult in all sublime risks of freedom, knowledge, and creative powers, it is because we have come to believe in a freedom that is really free, in a wisdom that knows no fear, and in that creative evolution that brings forth forever things that, in very truth, are 'new and all.'

It is this, at least, that gives us our sense of spiritual adventure. On the great divide between the past, into which we can no longer enter, and the future we have but vaguely begun to feel, we may for the moment stand distraught. An intolerable regret, a pitiful anxiety to stop the relentless action of intellect upon instinct, alternates with a mad desire to press on. Our 'anxious morality,' the trembling state, and religion the conserver and miser of all values, know not whether to go backward or forward. Art, the reliever of pain and enhancer of pleasure, from which the heart had well-nigh been taken, knows not whether to cling to romance and the distance of the centuries, or to glorify the brute, and creep nearer and nearer to him. Yet in all this disarray of sentiment and emotion, we know that the best is yet to come. For, turning one way, we are aware of the sub-conscious and sub-human, of planes of experience and existence exuberant with an emotion still unspoiled by thought. Turning yet another way, we are conscious of still more imperious passions and admirations, luring us on to an intensification of thought and feeling that shall translate human experience into something superhuman and divine.

In any case, modern taste drives on toward the limits of thought and will. If there is raillery at those limits, there is also exhilaration. There at least the wind blows; there at least are the contentions of wind and sun. Novel sensations and emotions play about these boundaries, and like the north wind and the south wind they bear haunting suggestions of the remote fastnesses and impossible distances whence they come! There are in truth no distances like those of the interior life. The distances of space and time are parochial and homely, for we have made them; but the ever-receding goals of the human will are unspeakable and inhuman, for these goals are not our own. To journey to the North Pole is a child's adventure, but to stand upon the outermost boundaries of knowledge, beyond the last human habitation, makes the strong man quake. To shrink from the abyss of space is a matter of the nerves, to recoil before the abysses of the soul is the true *vertige des choses!* To stand exultant on a peak in Darien, that is indeed a joy, but what is it compared with the joy of him who is led up into a high mountain where he may see all the kingdoms of the world within us, and of that world that is yet to be?

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REST AT NOON

BY HERMANN HAGEDORN

Now with a recreated mind
Back to the world my way I find,

Fed by the hills one little hour,
By meadow-slope and beechen-bower,

Cedar serene, benignant larch,
Hoar mountains and the azure arch

Where dazzling vapors make vast sport
In God's profound and spacious court.

The universe played with me. Earth,
Harped unto heaven, made tuneful mirth;

The clouds built castles for my pleasure,
And airy legions, without measure,

Flung, spindrift-wise, across the sky,
To thrill my heart once and to die.

I have held converse with large things;
For cherubim with cooling wings

Brushed me; the stars that hide by day
Called through their latticed windows gay,

And clapped their hands: 'These veils uproll
And see the comrades of your soul.'

The very flowers that ringed my bed
Their little 'God-be-with-you' said.

And every insect, bird, and bee
Brought cool cups from eternity.

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GARDENS AND GARDENS

BY H. G. DWIGHT

Is it too ingenuous to imagine that anything can be left to say about a garden? Garden literature, descriptive, reminiscent, and technical, has blossomed so profusely among us during the last decade, that he should be an expert indeed who ventures to add thereto. Gardening is distinctly the fashion, and American gardens have already begun to form a school of their own. But literature in general is there to prove that, on a worthy subject, or one merely interesting to successive generations, too much, apparently, can never be said. Only ephemeral matters are over-written. And as a friend of gardens goes about the land he observes that, while they are a good deal the fashion, they are not nearly enough the fashion. They seem chiefly to be the fashion, that is, among possessors of many acres, or those who keep up at least two permanent homes. There are still many dwellers in great houses, however, who would ransack five continents to match a curtain and a carpet, but whose grounds show scarcely a trace of human intelligence; while to too many inhabitants of suburbs and villages a garden means no more than a cabbage-patch. Until such as these, therefore, are turned from the error of their way, until America ceases to be the most gardenless country in the world, too much cannot be said about gardens.

Let no one conclude that I am about to break into a panegyric of the spade and the watering-pot, of weeding and early rising, and I know not what other salutary exercises. These have been sufficiently celebrated. There is no need for me to mention them, save by way of insinuating how fractional a part of a garden they are. As for vegetables, I do not consider a plot of ground devoted to them worthy of the honorable name of garden. Vegetables are, of course, a part of gardening, but the least, the last, — for those who do not have to raise them, the most dishonorable part.

Even the culture of flowers is not the whole of a garden. It is a larger part than the preceding because it gives play to the rarer, the more trampled instincts of man, — his sense of color, his feeling for beauty, his reaching out after something beyond the mere necessity of the instant, — but the cultivation of flowers is only a rudimentary stage of a greater art; and happy are they who pass beyond it into the higher degrees of initiation.

Having said so much I may, perhaps, be expected, particularly by the outraged allies of the onion and the bean, to state in so many words what I conceive a garden to be. Not at all. I propose to make no such mistake. Has any one yet defined religion, or virtue, or love, or life? Only by experience may these, and gardens, be known, and by study of the great examples. Garden masterpieces are to be found in almost every part of the world where travelers go. The Arabs, the Persians, and the Japanese, among remoter peoples, have in their several ways carried the art to great perfection.

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Those of our own stock who have best understood a garden seem to have been the Italians of the Renaissance, after whom the French and the English worked with the happiest results. It is not for me to commemorate the magic and the melancholy of those great villas that hold half of the wonder of Italy. Yet it is something to my purpose to recall one or two nameless gardens, perhaps even more characteristic of a country where no piece of ground is considered too small or too dark for its decorative treatment.

One of the earliest with which I formed personal ties was in Asolo, whither I first went in a youthful enthusiasm for Browning, but which I found so much more poetic than the poet that my enthusiasm cooled to a disconcerting degree. What to me were bells and pomegranates of the printed page, when growing pomegranates and distantly-sounding bells might be enjoyed so much more vividly in a certain narrow *riva* — as the local dialect has it — overhanging the vast plain of the Po?

On one side of this little garden a grassy walk followed the edge of a declivity where grapes sunned themselves, to a clump of laurel trees. There a small white god stood against the sacred green, and there it was good to take a book in the morning — or tea in the afternoon. Across a dip of the town you could see the Queen Cornaro's tower printed against the sky, and the pillars of a colonnade, and the sharpness of a cypress tree; and beyond it all the long scroll of the Dolomites sank into the plain. On the other side, a *charmille* of clipped beech made a cool green tunnel under the wall. That was for sun or for rain, and it led to an arbor of roses. Here, too, the ground dropped away, falling from garden to garden, from vineyard to vineyard, from chestnut glen to chestnut glen, until the great green plain spread out its wonderful web that faded into a blue haze like the sea. Out of the plain rose, like the Amber Isles that Strabo called them, the strange cones of the Euganean Hills. Beyond them, to the left, you sometimes caught under a clear sun, or a high moon, the glint of the Adriatic.

For certain gardens, swimming bodily in that sea, I came to have a fantastic weakness. By nothing am I more easily undone than by the association of growing things with water. Then the crowded islands of Venice have so little room to spare that the flowers and vines and trees prospering there in so many inhospitable crannies prove again how deep-rooted in the Italian nature is the need of beauty, and the instinct to create it. There are, to be sure, really big gardens in the place, some hidden away where no outsider would guess. Not the least delightful, though, are the numberless closes, each with its own ingenuities for privacy or pleasure, so small that I used to wonder how spring ever found them out. Most of them, of course, I never visited except in imagination, although to not a few I vulgarly obtained entrance under a false pretense of house-hunting. But the one with a long red wall above a canal in an out-of-the-way part of town, through the grille work of whose open arches poured such a sense of green seclusion — who would have violated it? And while I would have sold my soul to possess the *giardinetto* with a Gothic water-gate and a balcony jutting out from the top of the wall, where seats were set in the shadow of a huge acacia, it was better, since that might not be, never to penetrate it.

I cannot forbear mentioning, however, one into which I penetrated so often that my affections took root beyond any possibility of transplanting.

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I have never forgiven D'Annunzio and Mrs. Temple Thurston for afterwards putting it into books without so much as changing its name. If they had known it as well as I, they could not have made out of it such copy as they did. It belonged to a *palazzo* of the Renaissance, in whose great lower hall the shimmer of the canal in front met the green light of the garden behind. You entered it by a formal court, where battered Roman emperors stood gravely in niches of the wall on either side, and a low parapet surmounted by a grille of wrought iron sharpened your anticipation of joys to come. This grille was also a device to set off the garden gate, a charming old twisted *cancello* between high stone posts, whereon nymphs struggled in the arms of satyrs, or Sabines were rapt to Rome.

And then you were upon enchanted ground. You would never have suspected yourself to be in the heart of a city. Scarcely even would you have suspected yourself to be in Venice, for the water was nowhere visible — although the sense of it would sometimes fill the silence at a gondolier's cry or the distant splash of an oar. A long path led you, if flower-beds and fruit trees and shady trellises did not beguile you by the way, to a sort of temple set against an ivied wall. Therein were celebrated no rites more mysterious than those which caused this paradise to bloom from the winter day when the Japanese calycanthus held out a first spicy hope of spring till the last chrysanthemum of autumn bowed its head. Yet could rites more mysterious have been celebrated?

Certain miracles that I beheld there have haunted my memory ever since: a gray April morning of sirocco, when the almond blossoms, the flaming tulips, the young green of the vines, hung as if painted on the motionless air; a summer night when the roses had an unearthly pallor under a half-eaten moon, whose ghostliness was somehow one with their perfume and with the phosphorescence of dew tipping their petals; a day when the trees stood part submerged in fog, into which leaves dropped slowly, slowly, one after another, and sank out of sight. And there were times when one yielded quite shamelessly to the sentimental. They were more likely to be times of crickets, I think, than of birds — when it was impossible not to feel, like another essence of the sunlight, the bittersweet of life that lingers about old houses, and places where men have died, and things that forgotten hands have touched.

This garden has always remained for me the perfection and pattern of its kind. It was not very big. It had none of the tricks, unless you count the court and the temple, whereby the old gardeners sometimes sought to catch your fancy. It did not even afford the view which contributes so much to the famous places of Italy. It was merely a small level inclosure behind a house, a larger and more delightful living-room, where its owners could find quiet and beauty, and their own portion of the earth. And while the grace of its setting, and some breath of legend that blew about it, were not a little of its charm, the essential elements of that charm were so simple that I am never through marveling at my fellow countrymen for so often wasting their own opportunities. Is it that they fail to perceive their opportunities? Or do they feel no desire to improve them? Or do they falsely imagine that only for Dives may such things be? Or do they live in fear of Mrs. Grundy and the nemesis she has sometimes visited upon a neighbor who dared to call his ground his own? Or are they so sunken in the fallacies of that school of gardening, so-called of landscape, that they

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find no beauty save in the monotonous wastes whereby they surround themselves?

I recognize, of course, that its lawns give a *cachet* to an American village; and a cachet is never to be scorned. Moreover I would be the last to deny that an American country street makes a most agreeable perspective in summer, with its arching trees and its park-like fringe of green and its clear-colored houses set a little apart from each other and from the public way. And there is not a little to be said for the confidence and friendliness which carry life forward so sociably in the open. Yet I never admire one of these thoroughfares without amazement at the householders who can freely throw away half their land and all their privacy in order to make a boulevard of an indifferent highway. I myself should be totally incapable of such a renunciation. The first thing I should do, were I so happy as to own the most infinitesimal fraction of the earth's surface, would be to surround at least a portion of it — possibly sacrificing the 'front lawn' on the altar of public opinion and democracy — with a hedge so thick and so high that my neighbors would have to go to some trouble in order to take observations of my affairs. And the next thing I should do would be to lay out that inclosed space after a design of my own imagining.

Whistler liked to maintain that Nature is but a clumsy artist, incapable of properly harmonizing or arranging her materials. I do not know how far I should be willing to follow Whistler. I have seen works of Nature that I should have been very sorry to let any one touch. But such masterpieces, save minute details of them, or the great picture of the skies, cannot exist in towns or their vicinity. And it is impossible for a strip of grass between a neatly-painted house and an oiled road to produce an illusion of the wildwood — unless it is so big or so cleverly inclosed by trees as to be outside the scope of this paper. The open lawn of custom, with its geometrical boundaries and its weekly or bi-weekly shaving, is as frankly artificial as the most elaborate perversities of the Baroque period. A really good lawn, moreover, even, green, and free of weeds, exacts a greater tribute of time and money than a garden of the same size.

Convention for convention, therefore, the more considered lines of a garden harmonize better with houses and streets than any attempt to domesticate the prairie on a hundred-foot front. And the design of a garden satisfies an instinct as native to us as any other. There is something in us that loves symmetry, selection, arrangement, as well as wildness and irregularity. A small garden, accordingly, gives its owner a far greater opportunity to express himself than a small lawn. The usual lawn expresses nothing so much as a vacancy of mind or an impious waste of good material; whereas in a garden any man may be an artist, may experiment with all the subtleties or simplicities of line, mass, color, and composition, and taste the god-like joys of a creator.

I hesitate to use the epithet 'formal' with regard to a small garden, for I generally find the word to suggest trees clipped into the form of peacocks, or flower-beds imitating carpets and sofa-cushions. How little, indeed, the Italian secret is understood, even by persons who have had opportunity to study it at first hand, we sometimes see graphically illustrated in this country by those who tuck a pergola and a few bits of marble into one corner of their grounds, and then call upon their friends to admire their Italian garden. One is reminded of the mansions that used to abound more self-confidently

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than they do now, wherein one was led from an Empire salon to a Japanese room, and finally brought to rest in a Turkish corner.

As to pergolas, by the way, I often ask myself where in the world the strange erections that stalk through an increasing number of American gardens, that even cover not a few American verandahs, staring-white, bare of foliage, and solid enough to support a sky-scraper, are supposed to have derived their origin. In some of the greatest Italian gardens the pergolas are made of slender unplaned poles fastened together by withes, which are invisible under the vines that cover them. The nakedness of American pergolas has sometimes been explained to me by the fact that grape-vines must be cut down every year in order to bear well. What of it? The vine exists for the pergola, not the pergola for the vine. Even in countries so poor as Greece and Turkey thousands of vines are grown simply for their shade and beauty. If we called a pergola a trellis, and were done with it, we might be less in danger of disfiguring our gardens by a species of snow-shed.

Pergolas, however, or marbles either, do not constitute an Italian garden. That is a matter of structure, whose principle will naturally work out different results under different conditions. It has already worked out very happy results in this country — results often bearing no superficial resemblance to the popular idea of an Italian garden. For the principle is not Italian or of any other nationality; it is merely a principle of good taste, which any woman who knows how to dress should, with a little imagination, be able to grasp very quickly. It consists in treating a piece of ground as if it were at one with the architecture upon it. Thus the marbles, in Italy, and the occasional white pergolas, repeat a note of the villa, which always has a good deal of marble about it; but they would be absurdly out of place if the villa happened to be a colored timber house.

The reason why the grounds are formal is that the villa itself is more formal than most of our country-houses. The degree of elaborateness depends upon the scale of the place, though some formality is the only possible transition between house and country. At the same time the grounds are laid out with reference to whatever view they may command. And they are planned to contain a constructional beauty of their own, independent of decoration or view. Thus a garden of agreeable design, which is accentuated by evergreens and simple architectural features, gives pleasure in winter as in summer, whether it is kept up or not. Its pattern attracts the eye like a picture. Whereas a blank lawn, unmarked by paths or anything else save trees or shrubs set about at random, is rarely a pleasant sight during the leafless part of the year.

The best thing, after all, about an Italian garden is that it is intended to be lived in. The paths, the arbors, the terraces, the seats, the pergolas, and other covered walks, are not mere ingenuities of ornament. They are for use. They make it possible to extend the life of the house under the sky, and in various weathers. The wall, accordingly, is a necessary part of the scheme; for a garden without an inclosure is a picture without a frame, a room without a partition.

Here is where I find the lawns of my country most intolerable. That they should be without form and void is less injurious than that they should bear no relation to the lives of their possessors. How pitiable are thousands of unfortunate persons, of unquestioned title to varying portions of the earth's surface,

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who yet go down to the grave ignorant of their true heritage. For the sums which they expend in maintaining vacancy about them they might create each his own Eden. But no; custom forbids them walls, even behind the building line. Their very grass is not their own, for it must be kept wet, and many feet will wear it out. Moreover, its exposure to every eye hedges them more narrowly about than privet or masonry. Would they taste that pleasant idleness of the clement season which is to loll with a book under a tree — or without one? They must dress for it, if they have the tree, and take thought not to assume too undignified a posture. Is it theirs to spread the family board in the open? They might as well spread it on the sidewalk. They may not even indulge in so promiscuous an entertainment as a lawn-party without darkenings of the horizon by the uninvited.

And as for the more intimate passages of life! — What can there be of intimacy about a lawn? It is a part of the street, at best no more than a part of a neighbor's premises; and the householder must comport himself accordingly. He shall never really know — I do not speak, of course, of those who are happy enough to live in open country or surrounded by their own acres — what life out-of-doors may be. His only idea of such a thing is to spend an hour at the country club, or a holiday in the mountains or by the sea. The notion that his own ground might be put to any use has never entered his head — unless in the rudimentary form represented by a potato patch. But until he and his house enjoy the freedom of a garden, they will never be more than strangers to the sun.

There prevails among many of us an actual hostility toward gardens, upon which I have mused not a little. One would suppose that a people so devoted to the cult of fresh air, so given to piazzas and 'sleeping porches,' would be quick to afford themselves so simple a luxury. I cannot believe the objection oftenest made to me: that mosquitoes prevent the enjoyment of a garden. True as it is in part, it is true only for certain seasons and for certain hours of the day. Mosquitoes never yet kept any one who really wanted a garden from having one. Neither do I put much faith in the altruism of those who protest against walls because they prevent outsiders from enjoying one's own grounds. It would be entirely possible to make a defense of walls on the highest psychological basis. Nay, what could be more delightful than to take an outraged community by the hand and point out that a glimpse of green through an open gate, a vine hanging over a coping, a tree peering above a hedge, suggests more to the inquiring mind than the most unobstructed view? But I suspect that the real milk in that cocoanut is a fear lest the rocker on the piazza be cut off from the spectacle of the street and of neighboring rockers.

Far be it from me to denounce the pleasures of the rocking-chair, or of contemplating the human spectacle. They merely afford me a step in a philosophical inquiry, leading to the conviction that, as a people, we are distinctly rebellious against the theory of a garden. It is natural enough that this should be. The sons of pioneers with all the blood of adventure in their veins, we are not even yet settled into this huge, half-tamed country of ours. We have a genuine love of wildness and space, which is impatient of what there may be dainty and confined about a garden. And we are somewhat notoriously averse to anything that resembles idleness. But I think there also must be in us a nerve

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duller than in other men; a blind spot in our eyes.

At any rate, as I go about those parts of our land where our fathers had early opportunity of expressing themselves, those parts which remain least troubled by foreign ideas, I never fail to be impressed by the unerring instinct with which the houses turn their backs to the most desirable view. Being given their choice of a happy valley or a dusty road, they invariably prefer the latter. Set down on a spot where it is impossible to avoid some agreeable outlook, they block out as much of it as possible by an enormous barn.

Now, a Turk is regarded by the inhabitants of those houses as a bloody and heathenish man, unsusceptible to any of the softer feelings that visit their own breasts. Yet that heathenish and bloody man has an unerring instinct of another kind. He has, uninstructed by any Village Improvement Society, a natural genius for placing his house, and, cut off in a town from wide prospects, the view of trees, the sight and sound of water, it would be inconceivable to him to make his back-yard such an abomination of desolation as may be seen from the rear windows of any American city.

The sense of beauty is a sprite of strange whims, visiting those who know her not, abandoning those who passionately sue her, never dwelling long in one time or people, and always discovering herself in new forms. If she has yet done no more than visit our shores furtively, and at rare intervals, that is no reason for giving up hope that she may some day reign in our midst. Shall there never be a Renaissance or Golden Age again?

In this small question of gardens, however, there is another element, another national idiosyncrasy, related to the rocking-chairs noted above. A larger expression of it is the house on whose piazza the rocking-chair rocks; a house whose front door is courteously made of glass in order to deprive the public of as little as possible of what goes forward within, and whose interior partitions have almost totally disappeared. All is the integration of Spencer; there is scarcely any differentiation here between one room and another. In so far as consciousness may be concerned in these things I have no doubt that they are ordered for the common good, and on some vague protestant principle of a life to come — as of large entertainments that seldom take place. Yet I seem to connect them with our somewhat noted American partiality for hotels — for change, travel, and publicity also, as opposed to rootedness and the individual life.

Here I think must lie the seed of that unfriendliness toward gardens which I not seldom encounter. It is the more curious that any such unfriendliness should exist, since individualism is supposed to hold freer sway among us than among any other people of the earth. Yet, with all that individualism and vitality, there is lacking a certain sense of life, a sense of the life of the moment, which our bloody and heathenish friend the Turk possesses along with his sense of beauty. Is it that, like the younger sons we are of all the younger sons of the world, we must still forage and sow wild oats, the resources of the inner life being a secret of age?

Separation, after all, is as native and as needful to us as society. Every man bears within him a solitary world which no one else may enter. Nor is this merely a matter of the sentimental. There is something aloof within us that will not be divided or communicated. Our rarest, like our bitterest, moments are for ourselves alone. And only by being most himself

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can a man be most for his kind. It is entirely possible to pay too much for the common good. Dangerous doctrine though this be, double-edged for good or ill, it is proven by great poets; by the great initiators of any breed. Whence it is that a garden wall is no piece of that exclusiveness at which we like to throw our word 'un-American.' If private life be less American than life of the street, the sooner we naturalize it the better.

THE AUTOBIOGRAPHY OF AN INDIVIDUALIST

III

BY JAMES O. FAGAN

I

At the outset of my third chapter I wish to emphasize the fact that I am doing my best to write, not simply the ups and downs of a somewhat adventurous career, but the plain history of a passion.

In the preceding sections of my story I have given a rough yet definite description of the soil in which this passion was planted, and of its manifestations and behavior when first it became conscious of its surroundings in the Highlands of Scotland. I have described the contact of my individualistic spirit with men and events when I was about to leave home; later, on board ship; and finally during a sojourn of two years in South America. Before concluding the story of my experiences in South America, however, a final incident remains to be noticed.

Applying its lessons to my own progress, the story relates specifically to the character and influence of women. My experience in such matters has been somewhat unusual. For one thing, I can just remember my mother on her death-bed. As a moral handicap the significance of this fact is immeasurable. Then again, there were no girls in our family, no sisters for companions or playmates.

Let the reasons be what they may, as I grew up, I consistently avoided female society. But this instinctive disinclination for the society of girls and women was accompanied by the most spiritual ideas in regard to their personalities and influence. My youthful and well-remembered conclusions on the subject are plain as plain can be. As a growing boy it never occurred to me that any girl or woman of my acquaintance could possibly be less than perfect in the workings of her heart, in the details of her daily occupation, or in matters that related to her mission as a sex. My attitude at the time may be summed up in two mottoes: 'I worship,' and, 'I serve.'

But there comes to every mortal a time when youthful dreams must submit themselves to all sorts of practical and spiritual tests. In my case, the

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first clash was perhaps the most memorable event in which my personality has ever been called upon to take part. On the occasion to which I refer, I just happened to get close enough to the heart of a woman to enable me to understand a little of its fundamental character. It is one of those unforgettable links that still connect this most absorbing of life problems with my boyish dreams. It was shortly after my arrival in Bahia from Santos. She was a married woman. This fact, to me at the time, had not the slightest significance. I made her acquaintance on board ship, on the way over from Europe. She was then the young bride of one of my fellow clerks. Unfortunately he was the flimsiest kind of a fellow, and six months of life in Bahia were sufficient to carry him well along on the highway to perdition. On my arrival in Bahia I knew nothing about this state of affairs. However, when I heard that the family were in trouble I determined to call, and after a while I found them in poorly furnished quarters in what was then known as the upper city.

At the time of my first visit the husband was in jail and the young wife was taking care of her baby girl and trying to keep body and soul together with the assistance of a boarder or two. Within a few days I, too, as a boarder, was admitted into the family circle.

Readers perhaps will imagine that I am about to give a simple variation of an old story. Be this as it may, the significance of the experience to me personally was incalculable.

With my advent the young wife seemed to acquire a fresh supply of courage. We soon became attached to each other in a quiet sociable way, which easily led to the exchanging of confidences. Apart from her expressed gratitude, I knew absolutely nothing about her affections, except as they shone in her face and were manifested in her motherly devotion. And yet it is true that as the days went by the situation developed most delightfully in impossible directions, as it were, until the current of other affairs hurried it along to a climax.

Before leaving Santos I had written home to make inquiries in regard to the situation and prospects in South Africa, and very soon I received word that arrangements had been made which would enable me to join a party of young fellows who intended to leave England on a certain date. Finally the time came for me to pack up and take leave.

So one morning I prepared to walk out of my boarding-house for the last time. To me the occasion, in minutest detail, is unforgettable. In thinking it all over from a distance, one recognizes with a clearer understanding than at the time the significance of such events in the life-journey of the individual. Every once in a while in their lives people focus in this way and take stock of spiritual progress. The picture in my mind of the final scene and leave-taking is something like this: —

A ladder of houses on a cliff-like street. The city sparkling in the first glow of the early morning sun. The harbor beneath, and in the distance, dotted with ships. Inside a home, a flower-decked parlor, a child in a high chair pounding lustily on the table with little fists. The young mother sorrow-tossed, yet struggling to speak cheerfully. The face pale as pale can be, yet gentle and firm beyond description. The hand extended, and the words 'good-bye' at the point of utterance. Then suddenly, in the twinkling of an eye, the features relax, tears stream and the little body collapses. Just enough strength was left to enable her to rush from the room.

As for me, I stood there like a fool,

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bereft of motion, almost of thought. Quickly, however, I came to my senses. A situation hitherto undreamed of, yet actually rehearsed for two or three months in simplest everyday intercourse, dawned upon me. From her side and mine, all at once, I understood. I realized that to prolong my stay, or to call her back, would be sacrilege. Nevertheless, even to-day, I cannot easily account to myself for what followed. I turned to leave the house, and then the unutterable dilemma in my heart took refuge in action. I opened my purse and counted out upon the table, in sovereigns, the half of its contents. And that was the end of it all.

II

The scene now changes to South Africa. But before I begin the narrative of my travels and experience in that country, a word or two should be said regarding my aim and intentions in steering my course in such a strange direction.

To begin with, of course there was the roving, adventurous spirit tucked away in my heredity, added to the disgust which I had acquired for my life and surroundings in South America. Then again, there was the ever-present necessity of earning a living somehow and somewhere; and on top of all these considerations there came an enthusiastic invitation from a brother who was already in Africa, and who, at the time he wrote, was doing remarkably well at the Pilgrim's Rest Gold-Fields. Just what I was going to do when I got there was to be left altogether to circumstances.

In the second place, a preliminary word or two of explanation is due in regard to the period at which I appeared on the African scene; and a very brief sketch or reminder of a few of the historical events which signalized this period and with which, here and there, I was in close touch, will certainly not be out of place.

In those days there were no railroads either in Natal or the Transvaal, and the ox-wagon was the most important single feature of African life. The Transvaal Republic, when first I entered the territory in the year 1877, was in a state of commercial and political anarchy, principally from a lack of funds necessary to enable the farmers to continue their campaign against the Kaffirs. President Burgers and his executive were in despair and the Republic was in a state of hopeless bankruptcy when, on April 12, 1877, at Pretoria, Sir Theophilus Shepstone, armed with the necessary authority from the British government, annexed the country as British territory.

The return of more prosperous conditions, however, aroused the Boers to renewed consciousness of their political subjection, and very soon, under the stupid and autocratic handling of the situation by British administrators, the old sores were reopened, and the war-spirit, nursed by the cautious and astute policy of Paul Kruger, who was at the head of the new movement, spread from farm to farm until it was fearlessly supported by nine tenths of the population.

At intervals following the annexation in 1877, came the Zulu war, which included the disaster at Isandlwana, the death of Prince Napoleon, the victory of Ulundi, and the capture of Cetewayo. Then, later, the campaign against the Kaffir chief Sekukuni in the north of the Transvaal was undertaken, and this again was followed in 1880 by the outbreak of the first Boer war of Independence, with the battle of Majuba Hill, and the recession of the Transvaal to the Boers by the Gladstone government, in 1881.

It was at the beginning of this string

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of historical events that I made my way into the Transvaal, and in the midst of these scenes I lived and moved about for over three years among the Boers and the Kaffirs.

While the events I have mentioned had but little direct connection with me and my fortunes, they form a sort of historical framework inside of which I moved up and down and formed personal opinions in regard to policies and peoples. In order to emphasize my personal relationship to these affairs and to these peoples, I think the best way will be to give a series of detached pictures of my African life and experience and to comment upon them by the way.

III

On the journey from South America to the Transvaal I halted for a day or two in Cape Town. Then I moved northward and spent a few weeks in the colony of Natal, where I happened to meet two men who took more than a passing interest in me and my problems. The first was Rider Haggard. At that time he was secretary to the governor. Haggard, like myself, was then in the making stage, and already his conversation was bristling with the 'He,' 'She,' and 'Jess' of his novels. With Haggard's assistance I received an introduction to one of the most notable men of the period in that or any other country, Bishop Colenso. He was one of those persecuted forerunners of religious liberty. At the same time he was universally recognized as the great peace-loving arbitrator between the Kaffirs, the Boers, and the British. Three or four times I met him at his home, amid dream-like surroundings, flowers and hedgerows and gorgeous vegetation, a grand old man with a retinue of stately ring-crowned Zulus for servitors and errand boys. He seemed to be devoting his declining years to the material and spiritual interests of a little village of dark-skinned mission children. For the first time in my life, I met a man who listened to my story, gave me much practical and spiritual advice, and sent me on my way with renewed courage.

At this point in my narrative I may as well say that, in my mind, at the time, my personal mission in Africa was clearly understood. At the first encounter, in South America especially, Society and I had made the poorest kind of connection. The rough-and-tumble childhood, the religion of John Knox, the discipline of the 'taws,' and the sterling influence of vigorous and healthy environment in youth, had received a palpable setback. Hitherto Society had been confining me in many ways; I was anxious to grow in a physical direction especially, and for that reason the prospect of a few years in Africa appealed to me. At the same time, both intellectually and religiously, I was holding my own. While I still remained steadfast to religious fundamentals, the meaning of religion in my mind, as well as its centre of gravity, was changing.

Of course, apart from this philosophy of life, there was, at all times, the problem of my material interests. Never in my life, however, have I had any schemes for the accumulation of money, and least of all while I was in Africa. I was possessed with a craving for knowledge, excitement, and personal expression. My mind was twenty years ahead of my experience. The problem for me would have been the same in any country — it was simply to find myself. In Africa as in South America I continued to follow my individualistic programme, and it must not be forgotten that my conclusions in regard to people and conditions were derived not from philosophy or reading, but from a discussion of live

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issues at camp-fires with indignant Kaffirs whose kraals had been sacked, and on wagon-seats with sturdy Boers whose everlasting theme was personal and national independence.

I can only refer in passing to the period of my initiation among these African scenes and people. In five or six months to become fairly expert in handling a wagon-whip and inspanning oxen, in horsemanship, hunting and rifle-shooting, and roughing it in general, was a very simple process for a fellow at my age; but to become conversationally at home among Kaffirs and Boers, and to a slight extent among Hottentots and tongue-snapping or 'click' speaking Bushmen, in a little over a year, was an achievement that can be comprehended only by those who possess a most retentive memory, and who from childhood have been passionately diligent and inquisitive in the study of languages. To me in Africa, this facility in languages was not only an ever-present and all-absorbing occupation, — it proved also to be the point of contact, sympathetically taken advantage of in every way, that enabled me to get unusually close to the hearts and the homes of those peoples, both black and white.

As illustrations of my African experiences I have in mind a number of characteristic scenes or word-pictures. The first is that of a transport-rider or wagon-driver. With a wagon and a span of sixteen or eighteen oxen, at different times I took loads of merchandise from the coast across the Free State or the Transvaal, to Kimberley, Pretoria, or the Gold Fields. In those early days a trip of this description in dry weather over the flats, which in places were simply black with herds of blesboks, gnus, and zebras, was a sort of long-continued picnic; but when you got into the swamps, or breasted a range of mountains, it soon turned into a heroic and sometimes into a desperate undertaking. Then it became a supreme test of lungs and limbs and courage. Winding up through dangerous gorges and over rocky heights, this creaking Transvaal buck-wagon, the forerunner of civilization, dragged its perilous way. Its string of straining and panting oxen, every back on the hump, every nose within an inch of the ground, goaded to the limit of exertion by the reverberating cracks of a forty-foot whip, was, to me, an important element in a scene of physical splendor. And then at sundown, when we outspanned our cattle, cooked our food, smoked our pipes, and discussed the day's doings round the camp-fires with Boers and Kaffirs from other wagons, as they happened to visit us, I, at any rate, amid these scenes, soon became aware that nature herself had taken me in hand, and that there was room in my heart for all manner of human sympathies; and that certainly, if I could have had my way, the whites and the blacks in South Africa would have worked out their social and political problems without a suspicion of bloodshed. But the collective interests of nations look upon Africa in a different light. I was soon led to observe that, so far as Africa was concerned, the interests of human society on the whole, and ideas of social justice in particular, were represented for the most part by shiploads of rum and rifles, by the debauching of Kaffir life, the almost fiendish search for gold and diamonds, and the harrying of the Boers from the Cape to the Zambesi.

On my first trip with a wagon and oxen I shipped as a sort of 'dead-head,' learning the business. My second venture was with my own outfit. The route, with a load of miscellaneous merchandise, was from Durban in Natal to Bethlehem in the Orange Free State. I hired a driver for the trip, a good-

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natured mission Kaffir. His name was Grumpy. He could handle a whip, cook a meal, speak English after a fashion, swear, drink, and steal upon occasion with the best of his profession. In the matter of stealing, however, he drew the line at his own master. To me he was incorruptibly honest. So far as cheating and general iniquity were concerned, he never tired of reminding me that he had been educated in a school of experts, that is, of white men. I shall never forget the first time Grumpy reminded me of this fact. His first month's wages consisted of a handful of silver coins, among which there happened to be a florin, that is, a two-shilling piece. Taking my ignorance for granted, he held the coin up before me and looked at it half sneeringly, as if it contained a dangerous or snake-like quality. Then grinning from ear to ear he said, 'Baas, that's a Scotchman.' Of course I demanded an explanation, and his story substantially was as follows: —

'When I was still at my Kraal in Swaziland, a number of years ago, the boys coming home from the Diamond Field brought news that they had been cheated. You must understand,' Grumpy explained, 'our boys are particularly fond of silver coins. Bulk means a good deal in Kaffirland. In buying cows and swapping them for wives there is nothing like a heap of silver coins to count and shuffle and squabble about. But you see, Baas, at that time the green Kaffirs did n't understand the difference in value, or notice the difference in size, between a florin and a half-crown piece. Well, once upon a time, hundreds of these Kaffir boys had been working all winter long, road-making and trench-digging near Kimberley, and when the time came, the contractor, who was a Scotchman, paid them their wages for the most part in florins, but counted them as half-crown pieces, and pocketed the difference. When the trick was discovered the contractor had departed. But Kaffirs never forget an injury of this kind; consequently ever since, through the length and breadth of Kaffirland, a florin is known as a Scotchman.'

Before long Grumpy and I became fast friends, and not once did he abuse the trust I placed in him. In posting me on the geography of the country, on the methods of handling the oxen, and on the other details of wagon-life, his services were invaluable. At the same time no schoolmaster could possibly have been more patient or have taken more pleasure in explaining to me the proper intonation and meaning of words in his Kaffir vocabulary.

Grumpy and his companions were great smokers. On the trek at night, after the oxen had been securely fastened to the yokes, it was customary for the boys to construct in the soil a sort of tunnel about two inches high and ten or twelve feet in length and fill it with water. At one end the pipe bowl was inserted, at the other end the mouthpiece. Then the boys, lying flat on their stomachs, rolled over in turns and inhaled great gulps of the intoxicating fumes. At such times, after I came to understand their language in some degree, I delighted to retire to my bunk on top of the wagonload and listen, sometimes until midnight, to the orations, all about terrible fights and prodigious feasts, with which the boys regaled each other between their turns at the pipe.

But this first trip into the Free State with Grumpy as factotum was particularly memorable on account of an unfortunate experience on my first hunting expedition.

We had successfully scaled the Drakensburg Mountains and were encamped one afternoon at a drift of the

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Wilge River, when a couple of Boers came along and invited me to go hunting with them for an hour or two. I possessed a good rifle and a splendid shooting pony, so without delay we set out in search of the game. And game enough there was, to be sure. We were hardly out of sight of our wagons when, cantering over a 'rise,' we came in plain view of a great herd of blesbok, the head of the column close at hand, with a long string behind it stretching out, it seemed, for miles, clear to the horizon. Catching sight of us, the mass as with one accord got under way and, headed by a number of leaders, tore across the veldt directly in front of us in a terrific stampede. My companions knew just what to do under the circumstances, and before I had sufficiently recovered from the excitement of the gallop to be able to aim straight, five or six of the animals had already succumbed to their skillful marksmanship. It was my first hunt and I suppose I was crazy with excitement, nevertheless, ever since I have always been heartily ashamed of my almost fiendish behavior that afternoon as a sportsman. I had always supposed that if I should fire deliberately at a house or a mountain, I could manage to hit it in some way. But after firing shot after shot as fast as I could ram the cartridges into my rifle, at a solid mass of galloping blesboks I soon began to wonder what on earth had become of the bullets. Apart from the blesboks there was actually nothing in sight to aim at but the sky.

Meanwhile the Boers, continuing the hunt in their own way, aiming at animals, not at herds, had galloped off in different directions while the bewildered blesboks, cut up into panic-stricken squadrons by the galloping hunters, were tearing across the plains in different directions, for all the world like so many vanishing dust-storms. In less than ten minutes from the time the herd had been sighted I stood alone on the veldt at the side of my horse, bemoaning my luck, and pondering on the next move.

But no, I was not alone after all. On a hillock some two hundred yards away I sighted a solitary bull blesbok. He was calmly surveying me and my pony in the most inquisitive manner. 'Going to drop dead in a minute or two,' I said to myself. So I waited. I had only one cartridge left in my belt and I might need that, I soliloquized, to kill something else on the way back to the wagons. But it seems the old ram on the hillock had plans of his own, for suddenly he wheeled round and ambled slowly away, whipping the air with a broken and dangling hind leg. In a second I was in the saddle and after him. But the faster I galloped, the nimbler the old buck became on his three legs. I could scarcely believe my senses. He could trot and 'tripple' and gallop at will. But if I could n't shoot straight, I had learned as a boy to ride anything and everything in the shape of a horse, and on this occasion my pony was a jewel of his kind. If I could remember them I should certainly be ashamed to give the details of that first African gallop across the veldt, dodging a labyrinth of holes, ant-hills, and boulders. It was a cruel errand. That pony was wing-footed, eagle-eyed, and remorseless; the game old blesbok, limbering along ahead of us and now at last easing up a little, was doomed. In the end he simply halted, faced us, and awaited our approach. The tragedy was then completed with my last bullet.

But the end of the adventure was not yet. The primitive methods whereby in the dusk of the evening I beheaded and skinned that animal would better not be described. Let it suffice to say that in a few minutes I started

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on my return to the wagons with the hide and the hindquarters of the blesbok securely fastened behind my saddle.

But I had never given a thought to the course I had taken in my gallop across the veldt. I kept on and on, and before long it grew dark and somewhat cold. So I dismounted, and after thinking it over, I knee-haltered the horse and let him go, crept head first into a large ant-bear-hole for a night's lodging, and made myself as comfortable as was possible under the circumstances, using the blesbok hide for a blanket.

The night was dark as pitch. Sleep was out of the question. I suppose that it was the haunches and the raw hide that attracted the creatures, but before long it really seemed as if I had settled down in a village of wild pigs and insulted the whole community. To begin with, squeaking incessantly, they seemed to be racing round and round in a circle, taking me for its centre. Then a number of jackals, drawing nearer and nearer, joined in the chorus. But I soon discovered that if I disliked the noise I fairly dreaded the silence. During the quiet spells I knew that something was chewing industriously at the projecting ends of the raw hide in which I was enveloped. It was hard work for me to keep kicking incessantly, but whenever I rested for a minute the chewing developed into vigorous and vicious tugs, the significance of which it was easy for one in my position to appreciate.

However, I kicked the night through in safety, and early in the morning, to my delight, I found my horse a short distance away, nibbling contentedly at his breakfast.

My troubles, however, were by no means ended. I spent the day as I had the evening before, wandering on and on without sighting a farmhouse or a scrap of a road. Luckily I had some matches, and at noon I built a fire and had some blesbok steak to eat, and when night came again, the blaze I made kept the jackals and pigs at a distance. The following day, the third after leaving my wagons, I was rescued in a curious manner.

Approaching a 'Krantz' or stony hillock, I was leading my horse through the high grass, when suddenly right in front of me up jumped a little bit of a Bushman boy about three feet high, and scampered away in the direction of the Krantz. Then I noticed something like a tent on the hillside, behind which the little oddity took refuge. In another minute I found myself in the presence of a Bushman and his wife. They were of the half-domesticated variety. The man could speak a few Dutch words and I had little difficulty in explaining my situation. He belonged to a Free State Boer, but at the time was on a pilgrimage of some kind and had halted for the day to doctor a snake bite from which he was suffering. After loading their stomachs with my blesbok meat, I set out again with the Bushman as guide. Just before sundown we came in sight of our wagons. Grumpy had no difficulty in persuading me that for two days I must have been wandering round in a circle.

My next picture has the Boers for its centrepiece. For a while, after I had made sufficient money at the 'transport' business to enable me to trade a little on my own account, I made my headquarters in the Komati district on a farm, the property of a man named Prinsloo. I was trading at the time and making trips in different directions. In all that region, where the Steyn, the Joubert, and the Botha families predominated and at a later date became renowned for their patriotism, there was no such hater and baiter of the British as this man Prinsloo. And not without reason. Being too old himself

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for active service, he made up for it by perpetually rehearsing his exploits and experience to the rising generation and inspiring it with his heroic spirit.

In the struggle in South Africa, both past and to come, the individuality of these rugged farmers was at stake. As the Boer looked at it, and very reasonably, on the one side there were business and imperial interests, backed up by humbug diplomacy; and on his own side there were the simple issues of his home and his national existence. Old man Prinsloo was not only saturated with traditions and experiences of what he called British tyranny, but his own family had a personal grievance of the bitterest nature. He was by no means blind to the benefits of civilization, and being fairly well educated, he had, in an evil day, sent his daughter to some private establishment at the Cape, to be educated. It happened to be a garrison town of some kind, where the redcoats were continually coming and going. He lost track of his child and that is all the outside world knew about the case; but everybody understood what had happened, and what was happening to young girls all over the world, especially in small out-of-the-way communities where scarlet jackets were in camp or garrison. I have heard Africander women allude to it under their breath as 'The curse of the redcoats.' With this private affair added to the national issue, Prinsloo's rage against the British was simply titanic.

But to do justice to him and to account, in a measure, for my personal estimate and impressions of these Boers, I will direct attention to another side of his character.

One evening while I was encamped on the high veldt which, on their long trips from the Kaffir Lands to the Diamond Fields, hundreds of natives were at all times crossing, the weather took a most unusual turn. It was in the spring of the year, when all over these fire-swept and blackened flats little tufts of green grass were beginning to sprout. The game from the Bush Lands was arriving in long strings and small herds, and traveling away to the southward. On the evening in question a snowstorm of unexampled severity — in fact snowstorms were almost unheard of in that part of the country — swept over these high lands. That night, old as he was, Prinsloo drove round among the farms in the district and collected a large party of his friends and relations. About one o'clock in the morning the party arrived at my encampment. For the most part the men were on horseback, but there were also two or three cape carts loaded with fuel and kettles and coffee. A medley of voices aroused me from slumber with cries for blankets and coffee, with which they knew I was well supplied. Then Prinsloo himself jerked aside the canvas curtain from the end of the wagon and explained to me that the Kaffirs on the Kimberley highroad, a couple of miles away, were huddling together in heaps and freezing to death by the score.

It did not take the party long to get under way again. Before morning every Boer in the district was on the scene. The rescue of these naked unfortunates on that snow-covered highway by Prinsloo and his followers is the most pathetic and one of the most humanly gratifying of my African memories.

But to return to the Prinsloo farm. One day I returned from a short trip on horseback and alighted at the farmhouse door. Prinsloo himself came out and assisted me in caring for my horse. For some time I had been trying to sell him something or other, but on this occasion, when I broached the subject as we were entering the house, he dis-

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missed the matter with the laconic reply, 'After the war, my boy, after the war.' The expression 'After the war,' was as old as the first trek of the Boers northward from the Cape Colony. It came in very handy in the common affairs of life. For want of a better expression or excuse, domestic arrangements, building operations, or perhaps hunting trips and such like, year in and year out, were being postponed until 'after the war.' In this way its absolute certainty was forever kept in the minds of the people. It was a sort of perpetual echo that had floated down the years from that never-to-be-forgotten day at Slaghters Nek in the Free State, when a number of Boer prisoners had been strung up like criminals, and their wives had been dragged to the scene to witness the execution, as a lesson, it was said, to future generations. Among children the words must have filtered into the blood somehow. One day I asked a little mite of a patriot to run on an errand for me. He said he thought his mother might not approve of his doing so. Personally, however, he did n't object, and while he would n't do it just then, he hoped to be able to earn a few pennies from the 'red-necks' in this way, 'after the war.'

However, Prinsloo and I stepped into the house and found therein quite a company of young Boers, sipping coffee and smoking their pipes. I understood in an instant that important business was being discussed, and it did not take Prinsloo long to enlighten me. I had barely taken my seat, when out it came, straight from the shoulder, somewhat in this way:—

'Look here, young man,' he began, 'some of these fellows say they like you; they think you are to be trusted. At any rate, when you sell us anything we usually get what we bargain for, which is no small recommendation. But what I have to tell you now is that affairs in our country have just about come to a head, and as you have seen a good deal and know a good deal about our cause in this district, you must now *get out* on five minutes' notice, or *swear in*, do you understand? Swearing in,' he continued, 'does n't mean that you will be commanded to fight for us, but simply that you must come under the Boer rule: keep your mouth shut, and help us in any other way you may choose.'

Under these conditions it did n't take me long to 'swear in.'

That same night there was a big gathering of Boers in that neighborhood. It was nearly midnight when they separated. On the following day a column of redcoats on the main wagon-road to Pretoria was attacked at Bronkhurst Sprint by Boers coming from nearly every direction. The British force was practically annihilated. Even old man Prinsloo was satisfied. This was the beginning of the first Boer struggle for independence in 1880.

The next is a scene from Kaffirland. I make no apologies for my defense of the Kaffirs. My admiration for these people at that time is easily understood. The original human stamp was there, and you could study its manifestations to your heart's desire. I confess that I was ignorant at the time, and lacking in social experience; nevertheless, I was mentally at war with the artificialities and barbarities of civilization, and I found much in these unadulterated Kaffirs to renew my faith in human effort and human sympathies.

Some time before Sir Garnet Wolseley appeared upon the scene and burned their villages, dynamited their caves, and, with the help of his Zwasi allies, massacred the population, I was one day swapping salt for Kaffir corn at the 'stadt' or town of a powerful chief

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of the Maccatees. His name, I think, was Mampoor. As this was the third or fourth visit I had made to this Kraal, I had the run of the place, and was on friendly terms with the chief. On the occasion I am now trying to describe he was seated, or rather squatting, in front of his hut. He was one of the finest looking specimens I ever saw of what was called a refugee Zulu Kaffir, tall, light-skinned, stalwart, and heavily fleshed. He knew how to combine business with pleasure by methods unheard of in civilized circles. At his side, jabbering incessantly, was a buxom *intombi* or maiden. She was next in order as his bride elect. Once in a while the huge frame of the chief quivered and gave a sort of a chuckle as he happened to catch and enjoy one of her flattering remarks. But his attention, for the most part, was concentrated on the eloquence of three or four old men, minor chiefs or *indunas*, who were squatting on the ground in front of him.

These old men were trying to persuade the chief to provide an extra ox or two for the grand ceremony that was to take place in the afternoon. It is the picture of this ceremony, with its lessons of courage, endurance, and loyalty, that I wish now to describe, to account in a measure for the fascination which, I confess, Kaffir life had for me at the time.

In the centre of the town was a sort of common, or large enclosure. At the time I entered, inside the palisades, in a dense ring round the edges, the whole population of the town was massed. In a reserved centre space, a huge sacrificial ox stood at bay within a ring of glittering assegais. Squatted on the ground at a short distance from the nose of the animal was the royal butcher, horribly painted and befeathered. He was addressing the animal and telling him, in fitful screams, just what he was going to do to him later on, and once in a while the butcher changed his tone to a whine, and implored his victim, when he felt the tickle of the assegai in his heart, not to get excited about it, but to take his time and to fall in such and such a way, with nose upturned to the wide sky, in order that the omens might be lucky, and the flesh untainted.

And just then, amid a terrific din of kettledrums and the shouts of thousands, the boys themselves, glittering and handsome, brandishing their first spears and shields, entered the arena in long procession. The feast was in their honor. Their young hearts were filled with joy and triumph. The period of trial and purification was over. For a whole moon period they had been out among the rocks on the mountain side, for the most part hungry and thirsty and blanketless. Their taskmasters had never let up on them for one minute. They had been drilled and buffeted, hammered with knobkerries and pricked with assegais and hardened up to the very acme of daring and endurance. They were now to enter manhood, and nothing remained but the triumph and the feasting. One after another these war-bedecked young warriors jumped out of the procession into the arena and with frantic gestures and marvelous limb-play told the assembly, in passionate language, just what it is to be manly and dexterous and stout-hearted. Each one in turn was applauded.

The young girls, here and there in bunches, were jabbering incessantly and bubbling over with delight, while a number of old hags, doubled up, dried up, crooked beyond conception, and crazy with excitement, ambled around the arena in weird and trance-like gyrations. Then suddenly the centre space was cleared of everything but the ox and the dancing butcher. The

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assegai flashed in the sunlight, and the feast was on.

For reasons, then, which may or may not be apparent to my readers, I was in sympathy with those dissatisfied Boers and those heathenish Kaffirs. In my ignorance of or dissatisfaction with society, I suppose I failed to appreciate the forced relationship that, practically speaking, existed and exists between profession and expediency. My mind, at the time, was honestly crammed with precepts, proverbs, texts, and old saws about liberty, the pursuit of happiness, human rights and property rights; and with these fundamentals forever buzzing in my brain, I could not, for the life of me, account for the conduct of Europeans in Africa. From my point of view then, with Christianity as a background, the excuse for the African wars was reduced to the simple objections of the ordinary traveler, that the Kaffir, as a rule, lacked soap, and the Boer, as a rule, forgot to shave.

It was at this stage of my mental and physical experience in Africa that I met a certain individual, and immediately my whole line of thought and interest was changed; and as the result, within eight months I landed on American soil. It was just after the capture of the Kaffir chief, Sekukuni, by Sir Garnet Wolseley and his native allies, the Zwasis, in 1879, I think.

I was crossing the high veldt at the time, on the way from Leydenburg to Heidelburg. The journey itself was very interesting for other reasons, which cannot well be omitted from my narrative. A few miles out of Leydenburg, the wagon-road winds up the face of a precipitous mountain. With anything but a clever span of oxen, the ascent was long drawn out and extremely difficult. One morning, on account of a break in the wagon-gear, I was compelled to outspan some distance from the summit of the hill. Shortly after the sun had cleared the mountain-tops, the blanket of mist in the long valley below quickly evaporated, and exposed to view a remarkable scene.

A straggling column of Zwasi Kaffirs, about five thousand in number, came out of the mist and began to ascend the hill. They were returning from the country of their hereditary enemies the Maccatees, where they had been helping the British to burn and sack their principal town. Here and there could be seen small bunches of captured cattle and women, and bringing up the rear was a long string of the wounded. Efforts had been made in Leydenburg to provide treatment for some of them in the hospitals; but what was the use? When the main body arrived and marched, chanting and jabbering, through the streets, the patients tore off the bandages and were soon hobbling along in the rear of the procession. Later, when these unfortunates passed my wagon, instead of bandages there were patches of clay, and in some of the more jagged wounds made by potlegs and such missiles, which had been utilized instead of bullets, there were plugs of twisted grass. Recovery for these stout-hearted warriors was a foregone conclusion.

It was on this occasion that I had the singular fortune again to meet Peixoto. Like many other adventurers, he had taken service and in the course of time had become naturalized among the Zwasis. His account of the campaign in Sekukuni's country was particularly interesting in relation to the development of his own character. It seems he, with a troop of his Zwasi warriors, had been left behind for a day or two to patrol the mountains after the caves had been dynamited by the British. He affirmed, with savage glee, that when he came away from the place, by placing his ear to the ground

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he could still hear dogs barking and children crying down below in the sealed-up caves. He was glad, he said, he was not a Christian; the Kaffir and Kaffir life were good enough for him.

However, I continued my journey, and one evening was comfortably outspanned on the high veldt when a large cape cart, drawn by four horses, came along and made preparations to camp alongside our wagons for the night. I happened to have two or three very tame chickens which were eating out of my hand and perching at times on my shoulders. Very soon an elderly man, one of a group which had arrived with the cape cart, caught sight of the chickens and came over to my wagon gayly clapping his hands. With chickens as a point of contact, a conversation ensued that was prolonged into the night and continued with unabated interest the following morning. I told the man a good deal about myself, my plans and my philosophy; and one thing leading to another, he happened to strike into the subject of Democracy and the United States. To me, at the time, it was absolutely a new world of thought. Before I met this man, had any one asked me to define a Republican, very probably I should have replied that he was a horrid sort of a demagogue or disturber of society like Charles Bradlaugh, who, on five minutes' notice, would, perhaps, have shipped Queen Victoria to Botany Bay.

As I call to mind our conversation, however, this man had a number of serious criticisms to make of the tendencies of democratic government in the United States. Nevertheless, he drew, for my benefit, a brilliant picture of its principles and possibilities, and before his analysis was finished, my interest and enthusiasm in the matter were aroused to the highest pitch. Finally he gave me a good deal of inside history in regard to affairs, and consequently in regard to my own prospects, in Africa, for a number of years to come, and he strongly advised me to make the best of my way to the United States.

This man was the celebrated war correspondent known to Americans in particular, as well as to all the world, as 'Bull Run Russell.'

As soon, then, as I was able to dispose of what little stock and interests I owned in the country, I set out on the long trip to America.

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THE ÆSTHETIC VALUE OF EFFICIENCY

BY ETHEL PUFFER HOWES

THIS is not an essay in criticism. It is an argument from example; containing also the personal observations of an unabashed æsthetician, who takes her own where she finds it. A living organism of industry, all compact of social values, may be truly an æsthetic whole. It may have beauty transcending a multitude of partial uglinesses, not because it is good, but because its excellence shows the form of perfect unity. That harmony of potent action, that blending of mutual influences, which, in symphony or drama, makes it difficult to disentangle cause and effect, is an unfailing mark, in the conduct of life no less, of the presence of the æsthetic quality. If 'all art aspires to the condition of music,' certainly all to which we can ascribe beauty is known by such a fusion of efficient action and results as I mean to try to tell of here. The very difficulty of the task is warrant of the quality of the subject.

It was certainly with no undue expecttations of charm or inspiration that I alighted at Vateria, after a night in which dark phantoms of round-topped Southern pines had marched slowly and continuously by the window of my berth. From Washington down, the journey had revealed untidy houses, idle negroes, unkempt whites. *The Southerner* of Nicholas Worth was in my literary baggage, and, like a character out of the book, a distinguished Georgian had on the way assured me, 'You know all this hookworm talk is just to keep capital away from the South.' And the first aspect of the town held in its unloveliness nothing unforeseen. All about were fields of blackened and ragged stumps, showing where the magnificent pine forests had once stood. The fine new schoolhouses and bank were shouldered by shabby shingled relics of the earlier mushroom growth; and when a yellow cow came strolling along the sidewalk seeking what she might devour, it seemed that the last touch of character had been given. Only the wonderful aromatic fragrance of the cut long-leaf pine, which filled the air, gave intimation of a quality soon to be revealed — a truly symbolic note of beauty.

For the place I shall call Vateria is a Mississippi lumber town. It is also one of the most remarkable communities of the New South, in which a strain of power and self-completeness strangely dominates our academic notion of outward civic beauty. There is, indeed, an authentic and virile charm in the spectacle of its common life; but it can be clearly envisaged only in some interpretation of the unusual forces at work there for some twenty years past.

One who knew what other Southern lumber towns were like, ten or more years ago, before the leaven of Vateria had worked throughout the Gulf states, would have earlier discerned its quality. In those days, not yet ended indeed, the lumberman came in only to exploit and to destroy. A saw-mill was built on the railroad, a logging-camp of violent and often vicious men profaned the forest. The country people furnished few

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workers to either mill or camp. It was a dissipated and irregular life, and a shifting crew. The common saying went that a camp had three crews — 'one coming, one going, one at work.'

No families were ever taken into the woods, and all the vices flourished there, with at least the tacit encouragement of the owners; for though ostensibly high wages were paid, it was expected that most of this would return to the company either directly through the high prices the men were compelled to pay at the commissary (company store), or indirectly through the leasing of this privilege of exploitation. Like the turpentine-camp of to-day, it was a synonym for almost intolerable conditions. No land was taken up in the town by employees, no houses built; but when the timber was cut off to such a distance from the saw-mill that it was no longer profitable to haul it in by primitive methods, the company moved on from the denuded land, the camp vanished, and the town dwindled.

Moreover, in the best of circumstances, the supply of logs to the mill was most irregular. For this reason, a mill never ran steadily throughout the year, but was always stopping and starting up, to the great detriment of the working efficiency of its force. So bad was the traditional reputation of these lumber towns and camps, and of the management of the companies, that it was almost impossible to get banking accommodation for a lumbering proposition. No industry suffered such deep distrust on the part of bankers, and the consequent hand-to-mouth methods of financing completed the vicious circle. Moral and physical ugliness, dreariness and sloth, marked the Southern lumber country.

It remained for a Westerner with imagination to transform these conditions in one town, and, by force of example, largely throughout the South. He saw that an element of permanence must be given to what seems in its nature the most unstable and nomadic of industries. This man of insight came South in the early nineties from a wide western experience in lumbering. He found at Vateria the usual moribund company with a small saw-mill nearly at the end of its possible hauling distance with ox-teams. The town was then a dismal little community of some two hundred souls, getting a precarious living from its few cotton-fields dotted here and there among the pines. The farmers were in the grip of the vicious 'credit system,' under which they owed the store-keeper three prices for all supplies advanced before harvest, and were held fast by their creditor to the single 'money crop' — cotton. Timber land was a drug on the market at any distance from the railroad, and cleared land did not produce more than fifteen dollars worth of cotton the acre. The inhabitants were on the cultural level of full fifty years ago. Cooking was still done entirely in open fireplaces; few had ever seen a stove, much less a steam-engine. The story is still told of the countryman who came into the tent of a surveyor for the first railroad, not long before our story begins, and said, looking at the iron stove, 'Well, now, they tell me that is a very fine invention. I suppose all you have to do is to build a fire in that thing and off you go!' It was his notion of a locomotive.

The destiny of such a lumber town hangs on its mill, and the prosperity of the mill, to an extent few people understand, on the efficiency of the logging-camp. Saw-mill practice has been almost completely standardized. The economical size of the mill, the order and method of procedure, and the proportionate space allotted to different activities, are all well known. Few variations, except in the way of dealing with the personnel, are to be found over the

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whole country. But in the field it is different. The unlike types of timber, of situation, of transportation, of climatic conditions of work, furnish infinitely varied problems. In buying, cutting, loading, and hauling timber, in maintaining hundreds of men in the wilderness,—here lie the moral and the financial risks, and the opportunities for generalship. The great lumbermen have had their hearts in their camps, and our Westerner was no exception to the rule. I shall follow the transformation of the industry and of its people, then, from camp to town.

It was clear that, for permanence in the lumber industry, the first requirement was a steady unfailing supply of raw material for the mill, and the new owner's first means to that end was a logging railroad to the camp. This railroad was built of standard gauge, but light and flexible, so as to be easily carried from one timber 'stand' to another. It goes ahead with its temporary spurs at the rate of a mile and a half every four days, curling into every 'forty' ahead of the sawyers, who cut their twenty acres a day. Twenty miles of it have since been sold to a new railroad, which has made Vateria a branch; to-day cutting is going on thirty-five miles away from the mill. The life of the mill operations has been extended at least another generation, and entire steadiness ensured throughout the year.

To follow the logging railroad into these woods on a February day is to voyage into an aromatic fairyland. It may be only a chance unawareness of my own, but it seems to me that no one has ever truly described the happy, sturdy beauty of the Mississippi forest. All my literary premonitions were of muddy river-bottoms, sinister cane-brakes, and dark, lowering, moss-hung swamps. But no swamps are here. There are, rather, several levels: first, the creek-bed and banks; then the thick-grown bottom-lands, so-called, which are sometimes overflowed, but except for an occasional marshy hollow, mostly dry; and then a third rolling level, where the long-leaved pine trees grow, beautifully open and free from underbrush, and covered with a bright-green coarse grass. The bottom-lands are dense with broad-leaved evergreens and hardwoods,—cottonwood, sycamore, beech, and poplar, this last of enormous growth never seen in the North. Spruce-pine grows here, too, with gray bark instead of red-brown; sometimes headed up, at sixty feet above the ground, into a bit of dense greenery like a clipped evergreen on a lawn; and ancient cypresses, with their lower trunks spreading out into deep flutings, like wooden buttresses. The cheerful trees, however, are the broad-leaved evergreens,—magnolia, holly, and bay; clothed in dark green, incredibly polished leaves, the sunlight striking from them all over little gleaming points. And draped from tree to tree, over the flowering wild plum, the red blossoms of the buckeye, and the milk-white starry dogwood, the yellow jasmine flaunts its golden trumpets.

This is on the lowlands. But the long-leaved pine forest on the rolling uplands is more beautiful than words can tell. Even the young shoot is tall and vigorous, like a mammoth painter's brush, before it branches at all, and of a rich and juicy growth. Alongside the other little pine saplings it looks like a lion's cub beside a terrier. The grown tree has very few branches, and these short and irregular, with few branchlets. But each one of these twigs and branchlets bears a whorl of pine-leaves, two or three times as large as a man's head, and retracts in its growth, presenting the tip of its whorl upward. The trees grow rather sparely, each one to be seen in outline; the deep-red bole,

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smoothly marked, with a long clear trunk straight as an arrow; then the fascinating sparse irregularity of the branches with their cloudy whorls, like a *parure* of choice jewels, outlined in black and green against the sky. The branches, too, however gnarled and unsymmetrical, preserve a wonderful balance of arrangement. Each tree is a unique composition, but even the imperfect ones seem to have this gift of hidden symmetry; so that a cut-over field, where the small, worthless trees have been left standing, is still a thing of beauty. Each tree has caught a trick of balance in its branches and branchlets worthy of a Japanese painting.

Along the fringes of this sylvan paradise stretches a quite other world, the world of service and of devouring utility. On the flexible track, which yielded visibly to our passing, we made way ever and again for long trains of enormous logs, going to the saw-mill at Vateria. They were hauled by a curious disjointed sort of engine, known as the shay-geared, which is so contrived as to give to every irregularity of the track. This makes possible the easy and safe hauling of heavy loads — or, rather, makes possible such a light and temporary railroad to haul them on, as can serve every nook and corner of the timber stand. The camp itself was our goal, but since the camp as it is grew out of the revolution in methods inaugurated by the new company, I will try to describe those methods first.

Prior to the coming of the Vateria Company it was general practice in such logging camps to fell the trees each side of the railroad, haul them up to the track with horses or mules, and hoist them on an ox-chain to the car-trucks. One of the first great changes of the new company was to bring in the steam 'skidder,' which hauls in logs from a distance of nearly a thousand feet from the track. This machine is formidable in its appearance and terrifying in its action. It consists of two car-trucks carrying the engines and the derricks of two powerful steam hoisting-machines. The engine-car is chained to the track, and the derrick-car is anchored from its top both ways with heavy steel guy-lines. From four great steel drums, four three-quarter-inch steel cables, terminating in steel hooks, pass through as many blocks rigged on this derrick-car. The ends of the cables are dragged out by the horses, and hooked each about a felled log within the semi-circle of seven hundred feet radius. Then, at a signal, the engine races, the drums wind up the cables, and the great logs come tearing and crashing in like so many furious beasts — uprooting saplings, rending even good-sized trees, till they bring up end-on on the pile. Six hundred logs a day can be brought up to the track in this way. When the full circle on both sides has been cleared of logs, the machine is unclamped from the track, moves on, under its own steam, to its next station, and in four minutes is pulling in another log.

After the skidder comes the steam loader. The first one was brought to the South by the Vateria Company in 1895, to replace the old slow method of the inclined plane and ox-chain. This machine, though not so startling in action, is, perhaps, more wonderful in its achievements than the skidder. It is operated by three men, or rather by the driver and two helpers, for the first is incomparably the most important. The loader — also mounted on a truck — is a great steam crane, swinging freely on a central pin, and carrying a sliding steel cable ending in sharp steel tongs, like ice-tongs. The driver swings his boom around to the waiting pile of logs, at the same time releasing the cable, which whirls the heavy tongs out and down. At the exact moment they are caught by the man on the pile of logs,

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and hooked about one. The boom whirls again, carrying up the great log, which is, as if by magic, — really by the skillful paying out of the cable, — deposited in the exact spot indicated by the man on the empty truck, who has hardly even to direct its fall. The driver becomes immensely dexterous with this monstrous weapon, all the more fearsome in that he is dealing with two variables, the moving boom and the weighted cable which slides out on it. Watching this perilous play I could not help thinking of that dictum of a certain judge, in deciding an accident case in favor of an electric-car conductor: 'You cannot wield a trolley-car like a rapier.' The learned justice could never have said that of the steam loader.

Along with these two great machines to multiply the work achieved by a given number of men, there should be recalled another, which is, perhaps, not less an instrument of saving. Of course, the power in such a camp is all from the waste wood as fuel; but the old casual hit-or-miss method of gathering wood for the locomotives along the tracks has been superseded by a most ingenious fuel machine, which supplies seven locomotives with wood of the right size. At intervals, the steam skidder assembles a car-load of 'culls' or useless logs, — the defective 'dead-heart' logs, or the gnarled branches. These are hauled down to the yard where stands the fuel machine, every inch of solid steel. A log is hoisted by a small donkey-engine on the machine truck to an endless-chain conveyer, which brings it under a steam cross-cut drag-saw. After the saw has cut it into lengths it slides on, still on its conveyer, to where a negro waiting with a hook, like a cotton-hook, twists it around to stand on end under something between a pile-driver and a guillotine. That is, the pile-driver is fitted with a guillotine of five knives set in star-fish shape. At the signal the pile driver comes down with a 'short, sharp shock,' and the log falls apart, neatly split in five sections. If the skidder is terrific, and the loader elegant, the wood machine can only be described as incisive! Certainly one watches it with amusement, and can hardly refrain from attributing to it an all but human temperament.

The tremendous increase over the old method, in the number of logs thus harvested, and the great skill and daring developed in the wielders of these machines, have their influence on the prosperity of the company and on the earnings and morale of the men. But, before and beyond this, the whole group of conditions has been, it is not too much to say, metamorphosed by the presence of the loader, so that the camp has been made a place for human living.

Up to 1895 no families ever lived at a logging-camp — there was no place for them. The men slept in bunk-cars and ate in a cook-car; with the methods of payment and camp rule then in vogue, what that meant in vicious living and slovenly habits of work I have tried to indicate. And even now, as Professor Hart says in his recent *Southern South*, 'The great lumber camps give employment to thousands of people, and are on the whole demoralizing, for liquor there flows freely, the life is irregular, and saw-mill towns may suddenly decay.' Yet with a probable seven hundred and fifty people or so to care for in a migratory camp, no other disposition seemed possible. But with the cheap, quickly-made tracks, and the powerful loading machine, the problem was solved by the Vateria owners. If logs could be lifted on and off cars with ease and expedition, so could other things. The company proceeded to devise a unit shack, twelve feet by eighteen, with a hole through the floor and roof through which an iron rod with an

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eye on top, like a huge needle, could be bolted. In the South small cabins always stand on posts, free of the ground. How easy, then, to bring up the loader on a temporary spur, hook into this needle's eye, and swing the shack up on a railway truck, to be deposited in the same way fifty feet from the track in the heart of the new camp.

To-day the camp has a completely developed family life. Every workman has his one or two shacks free, and as many more as he wants to pay for, at a dollar a month or so. In a region where the common type of farmhouse — and the best for country living — is two rooms set some six feet apart with a raised common roof over all, the shacks are a most liberal substitute. The usual arrangement copies this, or assembles three or more shacks end-on to a central square or platform, and covers the whole with a raised roof, built either by the men themselves or the company's carpenters. Many of these houses have fenced-in gardens, full of flowers and vegetables, with vines running luxuriantly over roofs and fences.

Thus the unit shack and the loader together have made it possible for four hundred or more men to keep their wives and children with them through frequent changes of camp, with all that that means for thrifty living and steady work. It has meant that the best workmen in the country have come and stayed with the Vateria Company, and by their skill and productive work have contributed again to the same efficiency which first gave the basic conditions of their life.

It is, however, not family life alone that has been made possible. Other lumber-camps, if not utterly neglected, are cared for with benevolent despotism. That the camp and the store, boarding-house and hospital cars, are lighted with electricity from a company plant, and supplied with water from an artesian well, and that the employees have the free use of the company's telephone, shows only the care of the company to abolish so far as possible the minor hardships of camp life. But it has been the practice of the Vateria Company to have each logging-camp regularly incorporated as a town under Mississippi law, with alderman, constables, school board, and so forth. And it is the laboring men, not the superintendents, who become the responsible town officers. As the camp has a full life of some two years, and, thereafter, frequently remains a way station on the logging railroad, this is entirely feasible. The company builds a schoolhouse and a Y. M. C. A. building with baths, and a combined church and schoolhouse for the negro end of the camp; but the citizens of the 'town' pay for their own teachers, and, as members, for the services of the Y. M. C. A. director. There are now three teachers and over a hundred children in the white school, which compares favorably with any rural school I have seen. The workmen also largely sustain the camp doctor, with a drug store and good operating-room arranged in a car. The company store sells for cash at ordinary town prices.

It is easy to see what an independent and self-respecting community is thus encouraged; but what is not so obvious is the far-reaching importance of a very simple economic change made by the company, which preceded and conditioned all these developments. To an Easterner it would seem only ordinary business method; but from the point of view of universal lumbering practice in the South, it was nothing less than revolutionary.

The real great secret of the recklessness and irresponsibility of the lumber crew was their financial bondage. In all lumber-camps and saw-mill towns the men were compelled to trade at the company store, and were paid only by

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being allowed to draw their balance over this store account once a month. And as in the towns, the prices at the commissary, or company store, were highly exorbitant, and the workmen were always tempted to run up large accounts. In fact, practically all the lumber companies that made any profit at all, made it out of their stores, — 'operating on a commissary basis,' as it is called, — with results to the workmen that may be imagined. To change this custom was by other lumbermen looked on as suicidal.

But the Vateria Company began at once the payment of its workmen once a week in cash. It is hard to make clear the miracle that this one simple fact works, and has worked here, in the conduct of a man's life, and in his moral attitude. It might be said that this is a commonplace business method, a matter of course. Unfortunately it was, and is, so little a matter of course in the South that the country's whole economic condition would have been changed, if fifteen years ago the credit system could have been swept away everywhere and cash payments inaugurated. A large number of immigrants brought with great hopes to South Carolina in 1906, left there within a year largely because they were not paid in cash and had to trade at the company store. And to-day, still, the camp, mine and plantation hands, the tenant farmers and the small freehold farmers, are nearly all fast-bound, each under the special conditions of his calling, in this cruel system of indefinite credits and inordinate payments. But by this first act of economic justice on the part of the Vateria owners, the first condition of independent and self-controlled living was given, to which the others were but corollaries. All the incentives to steady and thrifty living, to self-control and self-respect, were thus supplied to the workman: family life and responsibility, the opportunity for civic duty, education, and the basic condition of all, control of the product of his labor.

It was this same financial freedom which in Vateria itself gave an early firm foundation for its healthy and enterprising growth. With liberal weekly wages in hand, the mill-workers could trade where they would. The result was that merchants and storekeepers of all kinds came to set up in the town; a healthy competition was induced, which kept prices reasonable, so that the country trade came in from all about. The thus augmented stream of ready cash attracted banks, and the deposits made new enterprises possible through loans. Thus simple commonsense fairness in paying off laborers became a very great factor in the building up of an active town.

To this day many lumber companies are 'operating on a commissary basis.' If, however, they tell of the reckless improvidence of their mill and camp operators, it is easy to impute the responsibility; Vateria has demonstrated the results of the other method.

Thus, drawn by steady employment and prompt payment, the best workmen were available. Much at variance with the usual outlook, the main reliance of the Vateria Company, both mill and camp, was to be on the country people. These were at first reluctant. They had the usual view of 'lumber-jacks'; they were of pure American stock, used to farming only; poor and proud, and, at first, indolent. But if a man has a stake in the country in property and family relations he is fixed, steadied, and speeded. The Vateria Company encouraged in every way the ownership of land and the building of homes by its men. Though the legal rate of interest in Mississippi is six per cent, most of the country bankers get their ten and twelve per cent and over; but the lumber company lent money to its

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employees at six per cent, and sold plots of ground to them on easy terms.

A tremendous inducement to superior workmen is an opportunity to educate their children. Now the success of the lumber mill, the shops, and the various subsidiary enterprises of Vateria, soon made it possible to spend town money for schools. In this one field all the influence that the company could bring to bear was openly exerted. It was augmented by this time by a large group of energetic young men, friends and relatives of the original pioneer, all of whom lived in the town. This again sounds to Eastern ears like a commonplace, but in truth it is almost unheard of in lumber towns and other such large enterprises in the South. Hardly one but suffers from absentee landlordism. But our Westerner and his associates served on the school-boards, sent their children to the public schools, and fought for them year in and year out, in large and in detail. Other citizens demanded more public buildings, paved streets. 'After we have good schools,' answered the lumbermen. In 1905 the average annual expenditure per pupil in daily attendance in the South was $9.75, in the North about $28.45. In 1900, Mississippi spent but $6.17 per pupil. But the Vateria school budget has been for years $35,000 for a town of 8500 people, or $20 per year per white pupil. The result is that the schools of Vateria are acknowledged the best in the whole state. The good old country stock thereabout, of English and Scotch-Irish descent, has awakened to the opportunity. Family after family moves to town that its children may be educated, and the personal level of the workmen available has been, in consequence of this large material for selection, obviously raised.

The proportion, among the employees, of American country people settled in their own homes, to the nomad workers, is enormously greater than that in other mill towns and camps. In the town of one great enterprise in this field a teacher of the lowest grade school was asked as to the nationality of her charges. 'All dagoes,' she answered. 'They are very quick to learn, but they get little schooling, because their parents never stay any time in the same place.' In the light of these facts, and their significance for the community life, the unpaved streets and homely vistas of Vateria ceased to have a negative æsthetic value. A breath of energy and of hope seemed to blow across them.

This is, perhaps, the place to speak of what most discussions of Southern industrial conditions seem to lay most stress on — the race question as it enters into labor competition. In Vateria, at least, the problem does not obtrude itself; it seems rather to be solved by obvious necessity. The negro cannot work in the cotton mill; he is too clumsy for the delicate operations, and the noise stupefies him. In the camp and the saw-mill he works side by side with white men, and the best man wins.

By far the most important workman in the saw-mill is the sawyer, he who guides the mammoth log on its steam-carriage up to the great endless band-saw, and directs its cutting, board by board. Good judgment on the part of the sawyer as to how to cut a log to get the most out of it, is the most essential element in the conduct of the mill: as the logs are cut, so is the gain or loss from the whole operation. Yet the best sawyer the Vateria Company ever had was a colored man. For years he drew sawyer's wages, three or four times the ordinary wage of the mill-hand, with no murmurs from the others — his superiority was too obvious. On the other hand, neither in mill nor camp are there negro foremen; they do not ordinarily develop those qualities of character necessary to hold a foreman's job.

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In general, race troubles seem to arise where the poorer whites are ignorant and inefficient, and so have some reason to fear competition. In Vateria they are so absolutely the opposite of this; they are, on the contrary, of such fresh and untried stock, responding so quickly to any opportunity for education and self-help, that their comparatively good relations with the large negro population are not hard to understand.

In the building up of the town, however, there are other elements than education and raising the quality of human material. A lumber town that is a lumber town alone has too many of its eggs in one basket. They are just beginning to preach diversified farming in the South, but the energetic spirits of Vateria set to diversifying industry as soon as their lumber company was on its feet. They founded a cotton mill, which has now twenty thousand spindles; they aided the fortunes of a cotton-oil and fertilizer mill; they welcomed the advent of other lumbermen. In the place today there is a brick plant, a wagon factory, a hardwood saw-mill, and a cotton compress (cotton being sold by weight, but shipped by volume). And now, in 1912, a group of business men have secured and largely support the services of a Federal agricultural expert and demonstrator for the country immediately surrounding Vateria — probably the first instance of such activity in behalf of the farming neighbors of a single town.

The cotton-mill is of the usual type, save for the small number of children at work. In going through the schools of the cotton-mill quarter, and noting the good appearance of the pupils, it is impossible not to sympathize in some degree with the Southern tolerance of a modicum of youthful labor in mills. It is light labor, with no children under twelve, and no night work. The cotton operators are originally of a much lower grade than the lumber workers; they come in from farms where the whole family has worked half-starved, in unsanitary conditions. The new-comers are very badly nourished, and have no ideas of orderly living; barely twenty per cent of them can read or write. In the town the whole family still works; but where fair wages and steady employment insure good living, where the company sees to it that they keep proper home conditions, and there is every incentive to education, the children develop well. The second generation of cotton-mill workers is a vast improvement on the first, — as observed, at least, in this country town, where the community spirit is so highly developed.

As for the cotton-oil mill, the great stoop-shouldered structure makes at least one picturesque corner in the growing town, but color is needed to depict its interior. The cotton seeds, still greenish-white with lint, are led on a high conveyer to the part of the mill where they are to be ground, and there fall from it into a pile — a mountain — the slope of whose sides is repeated in the slant of the covering roof. This gray-green mound, and the shafts of light and depths of shadow in the cavernous spaces of the great mill, make a perfect setting for the negroes at work. In and over everything is the golden oil from the presses and the golden dust from the grinding — a rich brown on walls and floors, wonderful amber and green tints on the garments of the workmen; it seems, indeed, to have passed into their veins, so mellow-gleaming are the tawny faces. And not the least of the mill's fascinations is the delicious odor of the steaming meal. It is strange that this, as well as the oil, is not in more general use as food — certainly, to the eye, the nostril, and the palate, it is most agreeable.

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But I have dwelt overlong on the various activities involved in the growth of such a community, and must not forget the basic condition of it all. A frontier country must be opened up, and must have capital to develop it. The capital has been given by the success, through good management, of the lumber company, and by the accumulation of money in the town that it drew together; it has been distributed, also, to many small farmers who have been freed from debt by the cash proceeds of their small timber holdings. Secondly, the country has been opened up to farming by the removal of the forest. Such land as that in southern Mississippi is too fertile not to be every inch under cultivation. To the eye the unworked ground is clayey and unpromising; but it responds like magic to intelligent effort. I have seen gardens in Vateria with quite incredible records at the end of two years, during which time the soil has turned to a rich dark loam, capable of anything, from artichokes to gardenias. The climate is much more favorable in every way than in the lower altitude of Louisiana, and when the farmers get to organizing in the fashion of California, this country may be the greatest truck-garden in the United States. But there is not too much enterprise among them, and thoughtful men are not deploring the advent of the cotton-boll weevil. Cotton ought not to be the only crop; and if the backwoodsmen are only forced into diversified farming, it will be a blessing for the countryside.

But it is the lumber operations that have brought the railroads, the traffic, and the market; and a new spirit of energy and responsibility and prosperity. The cut-over land needs but to be fully cleared, to become an agricultural paradise. Only æsthetic sentimentality could still yearn for the lost forest aisles. The forest has died in giving birth to something more precious than itself.

And what of the æsthetic meaning of Vateria? The town does not lack all outward fairness. It has dignified public buildings. Stately long-leaf pines in its park stand up against the western sky; around them are some charming houses, lovely gardens. But not by these is it æsthetically saved. Nor is material prosperity here to be regarded as compensation for vanished beauty, though it may, indeed, be accepted as such on occasion — no doubt every ugly thriving town might make the claim. And not even does the effective activity of the industrial system give warrant for according it a positive æsthetic quality. There are many smooth-working great industrial machines in which there is no essential distinction between the animate and the inanimate elements. Such industrial machines are just over the æsthetic threshold — they have the low-grade unity of the steam-engine and the dynamo. As, in criticism, the highest place is refused to that literature which, however integral in plan and exquisite in workmanship, conspicuously lets go the prime factor in human beings, will and its obligations, — as the book which aims to deal with life and yet ignores its essential meaning, fails of great art, — so the industrial creation which aims at organic perfection, and yet takes no account of its essential element, human character and its needs, fails in the same way. There is a fatal flaw in that integrity which alone can give it æsthetic value.

Here is the distinction of Vateria. The genius of the pioneer lumberman lay in the way he made every improvement in method subserve the character and training of his workers, and every improvement in character of the workers subserve the organic growth of the enterprise. Vateria is no little Elysium of 'welfare work.' Of such there is

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very little; the employers are too just, the workers too proud, to allow it. It is rather a place where intense effort toward industrial excellence and simple justice in financial policy have been made an opportunity for individual growth. This it is which makes the æsthetic value of efficiency in the industrial system. This ultimate integrity of the industrial organism is gained by guarding the self-respect and the moral and mental growth of the employee by the mutual practice of industrial efficiency.

The authentic charm of Vateria is in the harmonious action of its spirit of conscious competence. That spirit of competence turns to the best human uses its hard-won material gain, and turns again the energy drawn from mental and moral freedom back into the conduct of affairs. The reasoned appreciation of such sturdy, self-complete civic entities is worth encouraging in America to-day. Too often is the City Beautiful held to be a matter of parkways, fountains, groupings, and vistas. Let us rather learn to see the quality of beauty where there is lucid excellence of civic and industrial performance.

THE STARLING

BY AMY LOWELL

'I can't get out,' said the starling. — STERNE'S *Sentimental Journey*.

FOREVER the impenetrable wall
Of self confines my poor rebellious soul,
I never see the towering white clouds roll
Before a sturdy wind, save through the small
Barred window of my jail. I live a thrall,
With all my outer life a clipped, square hole,
Rectangular; a fraction of a scroll
Unwound and winding like a worsted ball.
My thoughts are grown uneager and depressed
Through being always mine; my fancy's wings
Are moulted, and the feathers blown away.
I weary for desires never guessed,
For alien passions, strange imaginings,
To be some other person for a day.

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THE LAST NIGHT OF THE REVIVAL

BY ELIZABETH CARTER

I

'I'LL have no son of mine sitting at my table and talking like an infiddle. Get up from there! Get out of that chair, and out of this room! Get out of here, I say!'

Rufus Gregg, after a reflective pause, rose heavily from his chair. His seventeen years and six feet of height had resulted, as a combination, in producing an effect of clumsiness. His gray-green eyes, keen as those of a young fox, fixed his father with a bright regard under the hair, heavy as Samson's, that hung wet over his forehead.

'Now look here, sir! You hear me! You hear what I say! Either you come up to meeting to-night, or you find somebody else's hay-field to loaf round in. Now, do you understand that? Answer me!'

Rufus flushed darkly. He was a 'great worker,' and proud of his reputation. On a sudden thought he grinned.

'All right, I'll come,' he said casually and genially.

Mr. Gregg became ludicrous, as one who exerts all his strength to lift some supposedly heavy weight only to have it fly up lightly in his hand.

'Well!' He snatched vainly at his lost dignity. 'Pass the bread, Lil,' he said fiercely.

Rufus went out.

Mrs. Gregg sighed, glancing at her son's plate. The boy's expression of his views had been ill-timed, — supper was scarcely begun. She always seemed to experience a mild astonishment that her son should be 'so wild, and so set against his father.' Mr. Gregg was to her the emblem of ultimate authority. She had never been a spirited woman, and was entirely deficient in imagination. Despite twenty years' actual experience of her husband's hardness, selfishness, and injustice, she still took him strictly at his own valuation as 'a good Christian man.' It should be further recorded of this worn, plain, gentle woman, that she was a saint. A divine tolerance, an absolute unselfishness, lay deep beneath all her literalness and limitations.

Something of these attributes of the soul her son had inherited. In his smarting young resentment, as he sat down on the steps and put his head in his hands, there was an element of tolerance, an instinctive sense of being bigger than the occasion, summed up in the terse reflection that 'Pop made him tired.'

There was a bond of sympathy between him and his mother. He knew that she never took his part against his father; he saw that his levities and rebellions bewildered her; but he leaned upon her goodness and her mildness. She never blamed him. After supper she would bring his plate out on the back porch, and stoop over him, and push back his hair, and make some remark about the birds singing for rain, or how many blossoms there were on the old rose-bush by the gate. She always noticed things out-of-doors.

Lil, the daughter of the house, was

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like her father. She stood in no awe of him, and was the one human being on whom he expended any consideration. She followed her brother's departure from the room with a thin-voiced comment.

'I wish Rufe ever would dress up in the evening and come up to meeting the way the other boys do. There ain't another boy in the place that never goes.'

'He'll come to-night,' said Mr. Gregg, in a tone of finality, as if he were accustomed to obedience on the part of his son.

Lil looked doubtful.

But as she and her mother hurried over the dishes, they were startled by the apparition of Rufus strolling down the path to the gate. He was carrying his hat in his hand; his hair, brushed to the last degree of smoothness, lay in a thick curve on either side of an arrow-like parting; the impressiveness of his new gray suit was enhanced by a shirt of resplendent whiteness.

'Oh, don't he look nice!' Lil exclaimed, startled into sisterly admiration. 'Rufe looks nicer than anybody when he gets dressed up. I wonder what made him say he'd go. I'll bet he just did it so pop would n't know what to say. He'll do anything to make you feel mean. Rufus is awful mean,' she ended, going back to her dishes.

'We'll have to hurry,' said Mrs. Gregg. 'I believe pop's hitching up now. You run along up and begin dressing, and I'll finish.'

II

The dusk had grown thick as Rufus neared the church, but he saw one or two people on the steps turn to look at him, therefore he partially effaced himself among a crowd of fellows under the big oak tree. They said, 'Hello, Rufe!' but they did not chaff him on being there. They all had, somewhat remarkably, the air of not precisely being there themselves, so motiveless and purely accidental was apparently the occasion of their gathering. After the minister had come, one of them would suggest, 'Going in?' to which the one addressed would answer, 'Guess I will'; then, with a quite exaggerated air of detachment, they would all file in and seat themselves in the two long rear seats.

'Dominie come yet?' one of the boys asked as Rufus joined the group.

'Ain't seen him,' said another. 'Pretty slow meetings he gets up, ain't they?'

They all laughed.

'Say, how about old Bill Shaw going forward last night? You heard about that, Rufe?'

'That's every one he's had, except Old Lady Cross — and a lot of *girls*. Say, he's slow.'

Near them two older men lingered, long-time leaders of Craneback's prayer-meetings, although the shifty light-gray eyes and massive jaw of the younger were scarcely suggestive of the saint.

'He ain't no exhorter,' said this worthy, with a pugnacious settling of his lower jaw. 'Has a good deal to say about "souls" too'; this with sarcasm. 'Guess he wun't worry much about souls, though. He seems to take it pretty easy.'

'That's so,' assented the old leader with unction. 'You'd think to hear him that preachin' was mighty easy work. I'd like to have him set under Dominie Ferris fur a while. Talk about colleges! Do colleges learn a man to be a preacher? *He 'd* never been to no college. I've seen him with the tears jest a-runnin' down his cheeks 'fore sermon was half over, and all done out time he'd got through. More'n once he's said to me, "I've got to set down,

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Brother Robson, a few minits till I git my breath. You jest lead in prayer.'"

'Yes,' said the second leader, 'Dominie Ferris gave himself right up to his sermon. Brother Green's heard him 'fore now down to his place — clear across both fields and the road.'

III

Perhaps the most striking thing about the interior of the church at Craneback was its air of serviceable and almost domestic utility, its neat precision of ornament, its entire lack of anything calculated to appeal to those untrustworthy attributes of our mortal nature, a sense of awe or of beauty. The single aisle ran, neatly carpeted, to the small, raised platform where stood the reading-desk; and in the background a black hair-cloth sofa, conveniently disposed for the reception of the minister's hat, or for the repose of his person on occasions when he might have the assistance of a brother exhorter.

On this platform, his hands resting on the two sides of the reading-desk, clasping it tightly, stood Craneback's new minister, his gaze bent upon the congregation, and in his soul a dull heaviness of utter discouragement which only those who have hoped fervidly can know. It was a discouragement at once dull and tumultuous; it had a clamorous voice of regret, and yet it seemed to breathe on his soul the finality of death. He no longer believed that he could do them any good, that he could even reach them at all, — these precious souls, the first souls that had been given into his charge.

The tumult of his mind did not appear in his face, beyond recording there a vague trouble. His was the dreamer's face, with a sweet-tempered, loosely-moulded mouth, and sad blue eyes that seemed often strugglingly set on beholding his own thought to the exclusion of other objects more immediately apparent.

Rufus sat in a corner of one of the long rear seats. His gaze, fixed upon the minister, was keenly interested. He saw him now for the first time, but a vague sense of championship for a man they were all 'down on' had established in him a predisposition to approve of anything the unpopular young preacher might say. He paid little heed to the long prayers, interspersed with singing, that opened the service, and he especially abstracted his attention from the decisive intonations of his father; but when the minister stepped forward from the reading-desk and stood facing them, with his hands clasped, in his attitude a sort of pleasant helplessness as if he appealed to their charity, a sudden warm liking welled up in the boy's heart.

'If then the light that is within thee be darkness, how great is that darkness.'

The words, full of a vibrant entreaty, fell solemnly upon the silence; the minister's sad glance, fixed above their heads, was that of a man who accuses his own soul in a solitary place.

'What man among us can honestly say that he does not love his sins, and how shall a man turn away from the thing that he loves? You will say this is not possible — to love sin is not possible in those who bear the name of Christian. Let us look for a moment at the lives we lead. The selfish and hard-hearted man loves his selfishness; he has trained his family to recognize it, to make room for it; it has become a sort of fastness from which, safe and cosy, he can contemplate the thousand ills that he escapes. One ill in particular he escapes, the fretting pain of subordination, the grind and wear of an encroaching personality too near one's own, which becomes at last as a

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heavy chain eating into the flesh. The hard-hearted man knows nothing of this pain because he inflicts it, — he *is* the chain, cold and heavy as iron; what should he know of the ills of shrinking flesh?

'Again, the man of evil temper loves the gratification of his temper above all things. Is there any pleasure in life for him like that rich, fierce joy he feels when he can give his rage the rein? He glories in his power to inflict suffering, perhaps on helpless women and children; perhaps on still more helpless animals. My friends, there is no sinner in the sight of God so great as this man, for he sins against the very dying commandment of his Saviour, that "ye love one another as I have loved you."

'And yet these men, these very men, the selfish, the hard-hearted, the men of evil temper, are the ones who may be in their own eyes the most blameless of men, who may even pray the prayer of the Pharisee, thanking God that they are not as other men are, uttering long prayers, believing with a full belief in all the truths of the gospel. "If then the light that is within thee be darkness, how great is that darkness."'

As the halting sentences followed each other in resonant succession, one listener at least had no thought of carping criticism. A man who could stand up in a revival meeting and talk plain sense about the way people ought to *live*, — and all the fools could do was to joke because he did n't get any converts! No wonder he did n't get any. They did n't want that kind of religion. But he was taking it so hard!

The pleading voice roused a vague ache in the boy's heart. Why did he care so much? They were all fools. Rufus wanted to tell him not to care. He glanced round at the near-by faces, and then at the sad face and quiet figure on the platform. Why did he stand there so still, why did n't he stamp up and down and pound the pulpit and holler, if that was what they wanted? Wild visions began to flash through the boy's head, of getting hold of the minister somewhere in private and telling him what it was they wanted. He seemed so friendly and so helpless. And still the beautiful voice, to which Rufus had ceased to listen, so far as listening meant taking in any sense of the words spoken, beat upon his consciousness like music.

A sudden stupendous thought came to him. He turned cold with the force, the clear, clean shock of it. A way to shut their mouths. — Oh, he had it, he had it! He sat and looked his great idea in the face, — or tried to. What if he were to go forward himself, — he, Rufus, the scoffer at revivals, the irreclaimable sinner? If he did, — how it would shut their mouths! The other boys would come after him, half of them, anyway, — like sheep. He pulled out his handkerchief and wiped his hands which were cold and wet. His heart began pounding as if he had run a long distance. It was a great idea.

He took his decision quickly. The only question was whether he could bring his reluctant body to follow the daring project of his brain. So he listened, while the minutes passed unfruitfully.

'And in openly declaring your penitence before men —'

There came a stir in the back of the church, followed by the turning of heads. Some one was going forward.

Some one was, indeed! Never in the history of the little church had such a sight been seen, not even in the great days of Dominie Ferris, that earnest and successful laborer in the harvesting of souls. For these were not only young men, but all the young men, the entire company of 'the boys' of Craneback, the wild, the steady, the early

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'professor,' the backslider, the indifferent; with bewilderment in their faces, they followed Rufus Gregg.

When Rufus first stood up there had been a hurried moment of confusion and whispering: —

'Say, Rufus is going forward.'

'Well, I guess if he can, some of the rest of us can.'

'I'll go if you'll go.'

They were in very truth startled to their souls. That Rufus should be moved to an outward expression of penitence seemed a sort of portent, as when in an elder day men saw flaming signs among the stars, or the earth trembled under their feet. The vague sense of peril that attends the utterly unforeseen had drawn them together to a common action.

Mr. Gregg turned round in his seat and looked at his son. It was almost pathetic to see such abject bewilderment in a face that had hitherto met all the puzzling facts of life with such supreme assurance. Then, his eyes glinting under a deep frown, he looked at the young minister as if to find the explanation there. It was, perhaps, the first time in his life that he had been positively obliged by the evidence of his senses to readjust an opinion. What was there in this young man, who was no exhorter, whose brief career among them had been a record of failure, that he should suddenly exhibit such unexampled power over souls, and especially over the hitherto inaccessible soul of Mr. Gregg's own son?

Where the violent readjustment took place in Mr. Gregg's mind was in the necessity of admitting that there must be something in such a young man. He could not say what, — it was part of the baffling problem, — but certainly something.

Lil was crying softly into her handkerchief. Mrs. Gregg's gaunt, gentle face looked frightened.

Rufus alone felt neither bewilderment nor awe. He held the key to the riddle; nor can it be said that there was any particular manifestation of penitence in the way he walked down the aisle. He was unconscious of his body now; he thought only of his triumph. How they were wondering, how they would always wonder! Yes, he had 'shut their mouths.' Then, with the sense of immediate reward, he saw the incredulous delight break upon the young preacher's face. They looked each other full in the eyes, priest and penitent; the sweet, heavy, blue-eyed gaze, lighted with a Christ-like joy, met the clear, sarcastic, boy's glance that had mocked and scoffed and too keenly observed through seventeen rebellious years.

Oh, he would be a model convert; he would never bring this great moment into discredit. He would keep the minister covered with his shield. And he did not know that in this impulse of pure and indignant generosity he did indeed 'profess religion' in a way he little dreamed: the religion of the Good Samaritan, the very soul of the religion of Christ.

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THE SUNSET OF THE CONFEDERACY

V

BY MORRIS SCHAFF

I

MEANWHILE Ord's troops are in bivouac at Farmville, Sheridan's in and about Prospect Station, and the Fifth Corps, under tall, hollow-cheeked Griffin, is at Prince Edward Court House resting after its twenty-eight-mile march.

One of Sheridan's regimental surgeons, in giving an account of overtaking his command that night, after having attended, as I assume, some of the wounded at Sailor's Creek, says that the camp-fires of the encampments of artillery and infantry reddened the sky in every direction; that of those along the roadside, some burned brightly, some faintly, but every one had its group of weary men seeking, and I hope finding, refreshment and rest. 'As the light played over the forms and faces of these men,' says Surgeon Rockwell, 'and those that were sleeping, with here and there a blood-stained bandage; and as it reflected from the stacked arms, and penetrated woody recesses revealing still other groups of blue-coated soldiers, scenes were presented well worthy to be reproduced upon canvas.' To this vivid picture should be added the indistinct forms of the drowsing horses.

Yet, Reader, for loneliness — and every aide who like myself has carried dispatches will bear witness to the truth of what I say — give me a park of army-wagons in some wan old field enthralled in darkness at the dead hours of a moonless night, men and mules asleep, camp-fires breathing their last, and the beams of day, which wander in the night, resting ghost-like on the arched and mildewed canvas covers.

Lee's army, meanwhile, was marching fast, weakened by hunger as they were. Apparently each man and organization grew indifferent to what happened to others. When any of the wagons or caissons got mired, or the famishing teams gave out, they did not stop to extricate them, but after cutting down the wheels of the artillery and setting fire to the supply-trains, went on. Lee himself passed through the village of Curdsville about midnight, and dawn found him and his weary army well away from Farmville.

Yet let them make the best time they could, demoralization was growing and spreading with equal speed. A Confederate surgeon, John Herbert Claiborne of Petersburg, says of the march after daylight, that there were abundant signs of disintegration all along the road; that whole trains were abandoned, ammunition and baggage dumped out, and everywhere muskets thrown away or, with their bayonets fixed, stuck deep in the ground. Soldiers who, he knew, had been men of

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steadiness and courage, straggled unarmed, or lay down and slept apparently unconcerned. Officers of the line as well as colonels and distinguished generals were doing the same thing, and Claiborne saw a staff officer of one of the latter dismount and throw himself down, uttering an oath that he never would draw his sword from its scabbard again.

About noon, the doctor met Lee's Inspector-General, Colonel Peyton, posting some men, not over a hundred of them, on a knoll from whose bare top they could see in the distance off to the left some of Sheridan's cavalry then hastening to reach Appomattox Station.

Claiborne asked Colonel Peyton what command he was posting, and the response came back slowly and sadly, 'That is what is left of the First Virginia.' It belonged to Pickett's celebrated Gettysburg division, a mere remnant, for it had been nearly annihilated at Five Forks.

'Does General Lee know how few of his soldiers are left?' asked the doctor, 'or to what extremities they are reduced?' 'I don't believe he does,' replied Peyton. 'Then whose business is it to tell him if not his inspector-general's?' blurted out Claiborne; and here we see again how the spirit of the night before had spread. Peyton with sad emphasis answered, 'I cannot, I cannot'; and I have no doubt that to the end of his days he was glad of the decision he came to. For this world loves the man who stands by his captain till the ship goes down. It may have been that Pendleton at that very hour was conveying to his chief the message Gordon had asked him to carry. Here at any rate is what Pendleton says in reference to its delivery: —

'General Lee was lying down resting at the base of a large pine tree. I approached and sat by him. To a statement of the case he quietly listened, and then, courteously expressing his thanks for the consideration of his subordinates in daring to relieve him in part of the existing burdens, spoke in about these words: "I trust it has not come to that; we certainly have too many brave men to think of laying down our arms. They still fight with great spirit, whereas the enemy does not. And besides, if I were to intimate to General Grant that I would listen to terms, he would at once regard it as such evidence of weakness that he would demand unconditional surrender, and sooner than that I am resolved to die. Indeed, we must all be determined to die at our posts."

'My reply could only be that every man would no doubt cheerfully meet death with him in discharge of duty, and that we were perfectly willing that he should decide the question.'

Let me make one comment on Pendleton's statement. He says that Lee declared that our army did not fight with spirit. This is astonishing. In view of Five Forks with its heavy losses on both sides, the assaults on his works around Petersburg, which were carried only by the most desperate resolution and gallantry, — indeed, it may be said, with slaughter unparalleled during the war, — the stubborn cavalry engagements at Jetersville and High Bridge, the sanguinary field of Sailor's Creek, in view of all these combats is it not inconceivable that Lee should have said that our men lacked spirit? Go ask any living veteran of the Army of Northern Virginia whether our troops quailed from the day the campaign began till their general, Cox, fired the last volley at Appomattox. No, no, General Pendleton, you certainly misunderstood General Lee, or General Lee was amazingly misinformed: never, never, did the old Army of the Potomac show more spirit.

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But that Lee said he would never submit to unconditional surrender is no doubt true, for he knew in what universal scorn and resentment the South held Pemberton for submitting to Grant's terms of unconditional surrender at Vicksburg; and rather than place himself alongside Pemberton he would lay his life down. Pendleton, after discharging his delicate mission, rode for a while with Alexander and told him of his interview. Alexander says that he got the impression from his manner that he had been snubbed by Lee; I hope he was entirely mistaken. Parting with Alexander, Pendleton hurried on to the head of the column comprised of Lindsey Walker's command of sixty-odd guns, accompanied by a guard of two artillery companies equipped as infantry.

They reached the vicinity of Appomattox Station by 3 P.M., and there, in supposed security, unharnessed, and started little fires to cook what they had foraged on the march, all looking forward gladly to several hours of refreshing rest.

Wallace with the leading brigade of the infantry, Gordon's corps, went into camp about sundown within a mile or so of the river. In the evening, and it will be told why, they were moved forward across the river to the Court House village and slept on their arms. The Appomattox, which they crossed on their way, and whose murmur can almost be heard at the old hamlet, is nothing more than a good-sized willow-fringed run that an ordinary coatless country boy, with even a short start, can clear from bank to bank, landing on the turf with the usual sense of having performed a feat; a sense to which I can testify, for more than once, bare-headed and bare-footed, I leaped a run of about the same size that wanders through the fields of the old home farm; and I hope that, as I write, the elecampane and ironweed are blooming golden and purple there as in my youth, and that off on the gray stake-and-ridered fence which runs by the old wild-cherry tree, a bob white sings to his mate mothering her covey in the clover-field.

And now, before telling where the rest of Gordon's corps and that of Longstreet and the cavalry bivouacked at the end of that last and long day's march, let me say a word of the lay of the land where their camp-fires glittered along the Lynchburg Road.

From the Appomattox lone and bushy ravine-scored fields tilt up northward for a mile, at least, to a timbered ridge circling southwestward around the birthplace of the river. The challenging note of a chanticleer perched in the old village on a November starlit night, with the wind from the south or the east, can be heard, I think, clear to the ferny tips of the river's source.

This ridge, where it is crossed by the old road, — which, by the way, comes swerving southward from it through the gullied and sombre old fields, — is flattish, crowned with woods, and about half a mile wide, breaking down sharply on its northern side into the bed of Rocky Run; a pleasant brook that goes gurgling around the ridge's base and falls into the Appomattox about a mile below the Court House. Beyond the run the ground begins at once to rise in a long commanding incline to the top of a higher ridge. As you follow the road upward, on each side are beautiful, leaning fields, and when I was there last October, in one of them lay a flock of Southdown sheep, and opposite, amid venerable trees and somewhat away from the road, was the old brick mansion house overlooking dreamily the generous plantation.

At the top of the ridge, the divide between the Appomattox and James, the road enters woods and then sweeps

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directly to the east by New Hope Church on toward New Store and Farmville. The prevailing timber through which it bears its course, leaving a track almost as red as brick, is oak, and roamed by wild turkeys. The other day, as I was following it, a half-grown one scurried across it ahead of me and disappeared in the leafy silence. I halted when I came to the spot, but could neither see nor hear him; may he live to grow to a ripe old age, a stately, fleet, and beautiful ornament of the sun-dappled loneliness.

And now, having tried to convey the lay of the land, let me say that Gordon's camp-fires stretched from the Appomattox to the top of the first ridge, and perhaps as far up the other as where I saw the sheep lying peacefully in the field. McIntosh's battalion of batteries was on the banks of Rocky Run, and Haskell's was this side of them in the woods. Longstreet's corps was beyond New Hope Church and beyond it the cavalry. The bordering fields and roadsides, from New Hope Church to the Appomattox, were packed by artillery, wagons, and ambulances, and except the batteries about all of them had lost every semblance of organization.

The cavalry and a good share of Longstreet's corps did not bivouac till after night had fully set in, and when the fires were lit, many a long mile lay behind them. But it had been a pleasant day, the sun had shone brightly, and, from time to time, soft refreshing breezes had blown; and I have no doubt that the sunshine and fresh breezes were made sweeter by the fact that it was the first day since it crossed the Appomattox at Goode's Bridge that the column had been free from harassing attacks by the cavalry.

Lee camped in the open wood on the top of the first ridge, and on the east side of the road, a hundred yards or so from it, the ground rising gently. Near-by and towering high over his camp-fire was a large white oak. Longstreet and Gordon were not far away. So, then, having established the weary, supperless men in their bivouacs, let us leave them to their sleep, which I know came quickly, for they were tired.

Night and the listening fields and woods, which as soon as darkness falls always become suddenly vast, self-conscious personalities, were around them; over them were fast-moving, sinister clouds dimming the Milky Way, that starry bivouac of the heavens; and with those officers and men, whose care blotted out sleep, darkening the future, were the shadows of deeper clouds. Were they to be subjected to harsh terms of surrender and then to a march of humiliation through the cities of the North, to Point Lookout, Fort Delaware, Elmira, and Johnston's Island, as prisoners of war? What months of confinement and agonies of body and mind were in store for them? Silent veterans, looking with thoughtful eyes into your camp-fires and dreading the future, none, none of those bitter experiences will come to you; on the contrary, you will receive kind terms, and chaplets will be yours at last. For this country will feel a glorious national pride in your fortitude, your soul-stirring valor, and your loyalty to her when the storm of war shall be over. Who, who are to be the heroes of the Army of Northern Virginia, then, if not you — you who, like gold tried in the furnace, stood by colors and cause to the end?

And now, before telling you, Reader, of the movements of the Army of the Potomac on that same Saturday, April 8, let me first say that Grant on the evening of the seventh, after sending his first note to Lee, issued orders for Humphreys and Wright to pursue the enemy with vigor in the morning on

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whatsoever roads he might take, and for Ord's command to follow Sheridan up the railroad toward Appomattox Station, since it was obvious that, to gain Lynchburg, Lee, confined to the narrow divide between the Appomattox and the James, would have to cross there at its outlet. It is quite clear that these orders, all issued before receiving a reply to his letter, show that Grant did not expect Lee to halt in his tracks and surrender at once.

The answer which he had received at midnight and which has already been given, he replied to in explicit terms the next morning: —

April 8, 1865.

GENERAL, — Your note of last evening, in reply to mine of the same date, asking the condition on which I will accept the surrender of the Army of Northern Virginia, is just received. In reply, I would say that peace being my great desire, there is but one condition I would insist upon, namely: that the men and officers surrendered shall be disqualified for taking up arms again against the Government of the United States until properly exchanged. I will meet you, or will designate officers to meet any officers you might name for the same purpose, at any point agreeable to you, for the purpose of arranging definitely the terms upon which the surrender of the Army of Northern Virginia will be received.

U. S. GRANT, Lieutenant-General.

General R. E. LEE.

This letter was direct, candid, and generous, and brought the issue squarely to Lee, inasmuch as, where or whensoever it might reach him, he would have to make up his mind to one of two courses: to yield to the inevitable, a spectre that had been haunting him for many a day, or to take his chances to escape from it by further retreat and battle. He chose the latter, notwithstanding Grant had used the expression, 'Peace being my great desire.'

This important communication, like the first, was put into the hands of Seth Williams for delivery. In due time that sunny-hearted man came up with the enemy's rear-guard of cavalry, and, although he was displaying a flag, was fired on, and his orderly wounded. He had to make several approaches to the line, and at last gained the attention of an officer of some sense, who ordered his ill-trained men to desist from firing on the flag of truce. Williams on handing him Grant's letter asked to have it forwarded promptly to Lee, and to make it clear to his immediately superior officer that hostilities would not be suspended on account of the communication he had given him. But before Williams started on this mission from Farmville, day had broken pleasantly, and to the call of the bugles all the troops had stepped off briskly ahead of him. All, did you say? All of the Army of the Potomac?

No, not quite all. Up where Miles had made his resolute assault at Cumberland Church, just as the sun was setting the night before, were many in blue and gray whom no earthly bugle could wake; there, boys of twenty were sleeping on, waiting in peace for that other trumpet, the one at the lips of an angel who, on resurrection's morning, shall sound for us all. Poor fellows, had your lives lasted but two days more, you would have heard the bands at Appomattox playing 'Home, Sweet Home.'

II

In accordance with Grant's orders for a vigorous pursuit, Humphreys at an early hour, with Miles in the lead, pressed through the works at Cumberland Church, which they had failed to carry, and then on to the Lynchburg

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Stage and the Buckingham Plank roads, which, setting out from Farmville, run near each other for a while. The latter goes by the village of Curdsville, and a cross-road from there meets the former at New Store. Humphreys took the Stage, and Wright the Plank Road.

Meade overtook Humphreys about eight o'clock, just after Williams with Grant's second letter had gone forward, and Lyman says that as they kept along the road they came on General Williams returning from the front, and shortly after, at eleven-thirty, had got to the house of 'one Elam,' where they rested the horses for a spell, and then over a wide road full of boulders and holes they came to Crutes, a large white house on the left side of the road; just before reaching there Grant overtook them and said to Meade, 'How are you, old fellow?' As will be remembered, Meade had not been at all well for three or four days. That night they both made their headquarters at Crutes.

Meanwhile, Humphreys pushed on fast, and at 5 P.M. sent word to Meade that he was at New Store and that the enemy were reported as about four miles ahead, and asked if he should halt to let the rear close up (that is Wright's Sixth Corps) and have rations issued. After resting a little while, and without waiting to hear from Meade, he renewed the march till half-past six, and by that time Miles with the advance was near Holliday's Creek.

At 6:55, just after the sun had set and Humphreys had gone into camp, Meade's reply to his dispatch came, saying, 'Push on to-night until you come up with the enemy. No attack is ordered but it is desirable to have the army up to him.' — 'Have the army up to him!' In that command you hear the ring of the iron in the blood of old George Gordon Meade.

Humphreys in reply said that, although it was against his judgment, he would obey the order, but that the men were exhausted and without rations. In a postscript he added that Miles at that moment sent word that the enemy were encamped on the first high ground in front of him, and that he had directed him to push forward his skirmishers and feel them.

Before this order could be executed, the enemy had moved on, but the corps, tired as it was, resumed its march in the falling darkness. The men had to yield at last, however, to fatigue and hunger, and at ten o'clock went into bivouac. Nearly twenty-five miles had been covered and the day had been warm; they deserved and I hope enjoyed a night of sweet rest. The camp-fires of some of them were on the banks of Holiday's Creek, and as their eyes were closing to its murmurs the dull boom of guns away to the southwest went floating by. Boom! boom! boom! And Wonder asked sleepily, 'What is that?' It was Sheridan at Appomattox Station planting himself squarely across the road to Lynchburg; and here is the story of how he did it.

While the dew was still sparkling and the feet of grazing cows and quick nibbling sheep trailed the pastures, his cavalry poured out of the fields and woods around Prospect Station, and with Custer in advance set off up the railroad for Appomattox Station, which is about two or three miles south of the Court House. Behind the cavalry came Ord's infantry from Farmville, Birney's division of colored troops leading them, and then Griffin from Prince Edward Court House, with Chamberlain of Maine, that hero and scholar, at the head. For the sake of the memory of the night when I rode with Warren on our way from the Wilderness, where this corps had left so many of its gal-

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lant men, I wish that I could have seen them march by on that sunshiny morning, — not only the Fifth Corps, but all of that column.

III

Reader and friend, I have something to propose to you, and, much as it will delay the narrative, I hope it will strike you pleasantly. Let us find some suitable spot by the roadside from which we can see those veterans go by; for before the sun sets to-morrow their marching will be over and the old Army of the Potomac, that I served with as a boy, will pass through the Gates of Peace and enter the Land of Dreams. I want you to see them, too, for I believe you feel a pride in the glory their courage has brought the country. I marched with them on many campaigns, — Chancellorsville, Gettysburg, the Wilderness, and thence through the bloody fields of Spottsylvania and Cold Harbor to the James. Do you wonder then that I long to look once more at the regiments and batteries, and lift my hat to those brave men whose oft-repeated display of valor made my heart beat? And if, when some dear old friend goes by, you should see tears dropping from my eyes, never mind, never mind, — the sight will bring back such appealing memories.

Break off that spray of budding laurel and bring it along. It will indicate that what is in your heart is in your hand, and that you would like if you could to wreathe it around the brows of more than one of those boys. For they are only boys, after all; their average age is under twenty-one.

I wish we could find a good, overlooking spot. How will that little elevation down there in the valley answer, that rises like an old-fashioned beehive on the left of the road and has three or four big-limbed oaks crowning it, one of them leaning somewhat? Admirably! We are lucky as usual: here is a pair of bars, and we shall not have to climb this old Virginia rail-fence; but let us be sure to put the bars up, for nothing is more provoking, nothing shows worse breeding, than to leave a farmer's gates open or his bars down. Well, here we are: oaks spreading above us, at our feet violets, liverwort, and spring beauties, scattered among acorn hulls, dead leaves, and clustered grass. What a reviewing stand, and so near the road that we shall be able to distinguish faces! Truly we have chosen a pleasant spot; let us sit down and enjoy it till they come.

How graciously the road greets us as it emerges from those thick primeval woods yonder, and how cool and fresh its earthy track looks as it comes gliding down between the fields toward us! Why, it almost sings, — I'm a brother of the morning and my sweetheart is the dawn.

And is not this leaning valley in front of us sweet? How the wavering fences and the heaving fields take the eye farther and farther up and off northward, until at last it rests on distant woods and vast solitary traveling clouds! Do you know that under those very clouds the Army of Northern Virginia is marching? How peacefully beneficent they look! I wonder if heaven in her sympathy has not set them a-sailing so that their shadows may comfort our enemies, — for the day is warm and hearts are low. I wish we could review them also, for perhaps I might see some old West Point friend, and I think he would speak to me, and I should like to slip a biscuit into his hand, for I know he is hungry. But whether I should see one or not, I know I would wave the laurel to more than one of those Confederate regiments.

But upon my soul we could not have

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found a better place had we looked for weeks. Note how the road climbs up athwart the open hill beyond this lusty, blessed run at our left, the gurgling child of the valley; and I'll warrant you that there are minnows, dace, and, may be, shiners in some of its pools, and that I could find a cardinal's or a catbird's nest somewhere along its willow- and alder-covered banks; those master songsters, like the thrush, love quiet places like this. And do you note the regular, intermittent pauses in the beat of the wings of that bird, which is coming from the woods to the oaks? It's a flicker, for I know his undulating flight right well. And do you hear that meadow-lark? He is up there in that shouldered pasture where you see a few sumacs near a settlement of big boulders, travelers from ages gone by that are resting a while; and as he sings to his golden-breasted mate, who knows if his song does not set the stern travelers dreaming of the world's first morning, just as the thrush's sets the fields dreaming of the first evening? But, like the flicker, what a naturally wild bird is the lark!

Surely the old road hears many a pleasant tone and runs by many a pleasant scene, but not one is sweeter than this or more suited to serve an innocent purpose like ours. For we can see the troops coming and going, and follow them as they climb the hill, until banners and men disappear beyond its crest. But here they come!

The cavalry brigade at the head of the column this morning is Pennington's of Custer's division, and when its commander rides by I will point him out to you, for he is a friend, and as was said of Sir George Beaumont, the intimate of Wordsworth and Coleridge, he is inherently a gentleman. The regiment that is now approaching in the advance is the Second New York, and that behind it is the Third New Jersey. The colonel of the former is Alanson M. Randol, and when he rides by, you will see that he has thin, straight, light red hair and a spare face; and I wish that you could hear him sing, for he has a fine tenor voice which on many a summer night at West Point I heard rising high and clear as he led a group of his fellow cadets who used to gather at the head of some company street during encampment, and, seated in a circle on camp-stools in their gray fatigue jackets and white trousers, sing the evening away. It is this regiment that will capture the four trains at Appomattox to-night, and then, with the rest of the brigade and division, at last, and notwithstanding musketry, canister, and darkness, will gain the Lynchburg road, and force the surrender of Lee to-morrow.

Bless my heart! here comes Custer now, and riding by his side are Pennington and Randol; Custer, a major-general, Pennington, a brigadier, and not one of the three has yet seen his twenty-seventh birthday. They were all fellow cadets, and I will wager you that this very moment they are talking about those old West Point days; for no matter when or where we graduates meet, soon, very soon, we are back at that beautiful spot on the Hudson and living over the days of our youth.

But do look at Custer, for he was one of my close friends and we passed many a happy hour together. Did you ever in all your life see any man more spectacularly dressed? That broad upturned sombrero, those long yellow locks, that olive-green corduroy suit tinseled lavishly with gold braid, those huge roweled spurs, and that long, flowing scarlet necktie! Just look, too, at the length of the sabre scabbard and the gold knots dangling from the sword's hilt, and note also those pistols in his high cavalry boots.

But don't misjudge him: Custer is

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only a great big jolly boy, and no one ever had a better friend, and no foe ever had an antagonist with more generosity of spirit. I wish you could catch his mischievous smile and hear his merry laugh.

I declare I believe he sees us. He does. — 'Hello, Morris! Hello, "Old Shoaf"!' Yes, yes, I hear you, Custer, Pennington, and Randol. Yes, I hear you, but my heart is too full to answer; I can only murmur as the tears fall, 'God bless each of you!' Wave, wave your laurel, Reader, and keep on waving it till the mist clears away from my swimming eyes. And after a pause, if some one says softly, 'Why did they call you "Old Shoaf"?' Oh, it was a nickname I got at West Point.

That regiment now passing is the First Connecticut, and I wish to call your attention to its major, Goodwin; and near him is Lieutenant Lanfare. Those two brave officers each captured a gun at Five Forks only a few days ago, when after repeated charges, with Pennington at the head, the brigade carried the enemy's breastworks. There goes the Second Ohio. I have a pride in my native state; let us lift our hats to the Second, and to them all.

That man at the head of the Fifteenth New York is Colonel Coppinger, and when I saw him first he was an aide, I believe, on Sheridan's staff. He is one of several young Irish gentlemen who came over and offered their services to our country, and braver or wittier men never graced a camp.

The lieutenant-colonel, on the white horse, is Augustus I. Root, and to-night, at the very end of the battle, he will charge into the village of Appomattox Court House and there meet a volley from Wallace's Confederate brigade and fall dead from his charger; and to-morrow morning a tender-hearted Confederate lady, before whose house he has fallen, will have his body brought from the road and buried in her yard. And when, after the war is over, his family shall come to take his body home, do you know, she will gather some flowers from the garden to deck his coffin!

'What is the meaning of that old-fashioned family coach, drawn by two mules, with a colored woman riding in state in it, among the headquarter wagons and led horses bringing up the rear of Custer's division?'

Well, my friend, — I might address you as Stranger, but I think you are closer to me than that, — that's Eliza, Custer's cook. He picked her up near the Blue Ridge on one of his campaigns in that lonely region. I don't know where he laid his hands on the coach. But this I know, that, at the fierce battle of Trevilion last summer, Eliza and all of Custer's and Pennington's private baggage were captured. That night, after the brigade had got out of a very tight place and gone into bivouac, Custer and Pennington, while lounging before their camp-fires, heard cheering up the road. Pretty soon the cheering broke out again, but this time it was stronger and nearer. What does that mean? they asked each other; and when they went out to learn the cause, there came Eliza, the men lining the road and cheering her at every step.

It seems that her mounted captors, while marching her off the field, told her to throw down a high fence in their way; but instead of beginning at the top rail she pulled out a low one, bolted through, took to her heels among young pines, and then with native shrewdness struck out in the direction she thought our troops had taken; and there she was, ready to get Custer's breakfast as usual. Of all the Army of the Potomac to-day, Eliza is the only one riding in state, and I've no doubt that at this very moment she is canvassing in her mind whether the coffee

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and sugar amid the trumpery with which her mud-spattered vehicle is loaded, will hold out till the campaign is over. It will; don't worry about it, Eliza; ride on without care.

But what a contrast is that old coach with its family memories to that column of cavalry now doubled up and riding four abreast, — horses bay, sorrel, white, black, and roan, guidons and colors waving, and each trooper armed with carbine, sabre and pistol! The old carriage is not going to church or to a wedding this morning.

The division following Custer's is Merritt's, Wesley Merritt's, one of the most popular men at West Point in my day. He has smiling blue eyes and has led this division in many a charge. Moreover he is naturally modest, can write inspiring English, and is an addition always to the good company he loves. I think that Sheridan relies on him more than on any one of his division commanders, and to-morrow he will be one of three selected by Grant to receive the surrender of Lee's army.

That brigade just passing is the famous Michigan brigade; you notice that every one has a flaming scarlet necktie like Custer's; they were his first command, and they love him. I wish that I could dwell on some of their exploits with him at their head. You do not know how the sight of those cavalrymen brings back to me that night after the two awful days in the Wilderness, when, with Warren in advance, I rode by them to Todd's Tavern where they had fought so bravely for the Brock Road, without which Grant's move to Spottsylvania would have been seriously baffled.

And here comes the Second Brigade under Charley Fitzhugh. Wave your laurel, for he is another of my fellow cadets. He has brown eyes, and in that robust figure is a warm and gallant heart.

And now passes the Reserve brigade. At its head is the Second Massachusetts under Colonel Forbes, who bears a name which the Blue Hills of Milton cherish with pride. Its young colonel, Lowell, was killed last autumn in the valley, and his sword brought much added lustre to a family already distinguished.

The troopers and those grim old sergeants with grizzled moustaches and imperials, who sit their horses so firmly, belong to the First, Fifth, and Sixth Regulars; and, companion, my heart swells at the sight of them again, for I, too, was a regular.

And here comes Crook's division. I have already told you what kind of a looking man he is, and how he was beloved. I wish I could point out all whom I know and who have rendered great services, but I am afraid of being tedious. That regiment just passing, its guidons flirting so cheerily, is the First Maine. At its head is Colonel Cilley, and when all is still to-night, he with his regiment will be standing guard across the Lynchburg Pike, just this side of the little graveyard at Appomattox, and within hearing of the enemy's bivouac down in the old, weary-looking hamlet.

And here comes Sheridan, — Sheridan! he to whom the country to-morrow, and as long as it lives, will owe more than to anyone in the Army of the Potomac for its final victory over what is called the Great Rebellion, inasmuch as, had it not been for his inflaming activity, the pursuit would not have been so rigorous, and Lee, instead of being where he is to-day, at the very verge of complete overthrow, would be, I fear, well on his way to the Roanoke.

Sheridan is mounted on Rienzi. Look at man and horse, for they are both of the same spirit and temper. It was Rienzi who with flaming nostrils

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carried Sheridan to the field of Cedar Creek, twenty miles away; and he was on him at Five Forks, the battle which broke Lee's line and let disaster in. Before the final charge there, the horse became as impatient as his rider, kicking, plunging, tossing his head, pulling at the bit, while foam flecked his black breast. And when Sheridan gave him his head, when he saw that Ayres, at the point of the bayonet, was going to carry the day, off sprang Rienzi and with a leap bounded over the enemy's works and landed Sheridan among the mob of prisoners and fighting troops. Well, Rienzi, by this time to-morrow you will bear your distinguished rider to the McLean house, and there you will see General Lee coming up on Traveller, a horse with a better temper than yours, and soon thereafter Grant will ride up on high-bred Cincinnati, and you three horses will go down to history together; and Grant to the day of his death will say that your rider, little Phil Sheridan, was the one great corps commander of the war.

As you see, Sheridan is cased in the uniform of his grade; he has on a double-breasted frock-coat, the brass buttons in groups of three; his trousers are outside of his boots and strapped down; and slightly tipping on his big round head is a low-crowned, soft felt hat, concealing his close-cropped black hair. He is the very embodiment of vital energy, and in addition to his natural force and courage he is supported by an extraordinary, clear and quick comprehension of the phases of battle. Were you to get close to him, you would not fail to note his set jaw, his rather high, solid cheek-bones, quick blazing eyes, and all the impulsive characteristics of his determined nature mingling in his weather-bronzed face; and perchance it would make you think of a living anvil. His voice is naturally low, and on one occasion, amid all the tension and din of battle, an aide came galloping up and began to scream out some bad news, whereupon Sheridan, with set teeth and low measured tones, said, 'Damn you, sir, don't yell at me!' Great as will his honors be, he never will have any affectations, but will ring true to the end.

Those threescore or more unfurled Confederate colors carried behind him and his brilliant staff, 'Tony' and 'Sandy' Forsythe, Newhall, and Gillespie, were captured at Sailor's Creek; and could anything equal the sight of those flags in stirring the hearts of his men to renewed daring?

And now the rear of the cavalry is passing, the head of the column has long since disappeared over the crest. Sheridan is near the top of the hill and I can still make out his blue headquarters flag. It was with that flag in his hand, Rienzi plunging wildly and mad with the excitement of the roaring musketry, that Sheridan, aflame, turned Ayres's repulsed division back to face their foes again at Five Forks, and then to carry Pickett's line of breastworks. In the oncoming infantry that will soon appear you will see Ayres and that very division; and I have no doubt that you will look on them with admiration when I tell you of their exploits, for I have been with them and seen them under fire.

And now, in the momentary pause between cavalry and infantry, goes by a little squad with bandaged heads and limbs, hurrying along, some on mules and some on horses. They are wounded cavalrymen who have slipped away from the field hospitals of Sailor's Creek and Farmville, and are bound to be with their regiments.

'What has that hatless man with the bandage across his brow dismounted for, there at the run?' Watch him and you will see. He is filling the canteens of his comrades. And note how the

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feverish fellows drink! He has had to fill one a second time; the contents of the first have been poured over a bandaged arm. Oh, fine is the spirit in the Army of the Potomac to-day!

'But why are you smiling?' Oh, because I know those fellows well, and except that obviously broken-down, abandoned old mule, and that woe-begone, bald-faced chestnut horse which they have picked up, the chances are ten to one that those young rascals have stolen every mount they have.

Now they are off, and the infantry is just issuing from the woods, and Turner's division of Ord's command is in the lead. Those troops, some from Illinois, some from Ohio, West Virginia, and far-away Massachusetts, were in the lines north of the James when the campaign began, and have covered more miles than any in the army. Note their swing as they pass by, for they mean to keep up with the cavalry.

Behind them is Foster's division, and at its head are two small brigades of colored troops, as you see. Do you know, my friend, that these earnest black men recall some vivid memories? For I sat on the parapet of one of our batteries and saw Feraro's division — they were all negroes officered by white men — move to the attack when the mine was exploded at Petersburg. Up to that day thousands of us doubted the colored man's courage, and for fear these negroes would falter, a division of white troops was assigned to lead the assault. But such heroism as they displayed I never saw surpassed on any field. Their advance up the incline was in full view, and you should have seen their steadiness in the face of a most deadly front-and-flank fire. Their flags began to fall as soon as they cleared our works, but up they would come boldly and on they would go. I cannot tell you how my breath shortened as the ground was strewn with their dead and wounded. Let us uncover. They have shown that they can be loyal and true to their masters, and they have shown that they can stand undaunted the final test of battle. Full of pathos are their songs and their fate for me, and I sometimes wonder if marble and bronze are not waiting for the hand of genius to express nature's deep feeling of North and South in their behalf.

That spare man with iron gray hair and moustache is Ord, the senior officer of all this column of cavalry and infantry hastening on to head off Lee. He graduated at West Point the year Grant entered, and his eyes are bluish-gray and kindly. In company he is an easy but not a loquacious talker, and never is known to be angry or excited; in other words, Reader, he is a man of good breeding. His voice, which is naturally clear, has a tinge of persuasiveness or solicitation in its tones. It was he who tried to bring about an interview between Grant and Lee before this final campaign began, for he felt sure that if they could meet they would bring the war to an end. Longstreet joined with him in this merciful and patriotic design, but as soon as it was heard of in Washington, Grant got peremptory orders to have no communication with Lee on questions of a political nature.

All in all, I am glad that Ord's scheme failed, but, nevertheless, it tells what kind of man he is, and Peace at the last great day will beckon to him, you may rest assured, to come and sit down by her side.

That young man, in fact almost a boy, among his staff, is Alfred A. Woodhull, an assistant surgeon in the army; and when Ord went to see Longstreet on his peace mission, he took Woodhull with him.

And now there is another pause, for some of Ord's wagons are stalled at the

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run and block the way, but the officers and drivers are using the vigorous terms which the mule understands, and soon the road will be cleared. Yes, even now, for look, look! there comes the old Fifth Corps. See how the sun glints on the leaning gun-barrels! Griffin is at its head, and behind him floats the Maltese Cross. What fields the sight of that flag evokes! Gaines's Mill, Glendale, Malvern Hill, Manassas, Fredericksburg, Gettysburg, the Wilderness, Spottsylvania, Cold Harbor, Five Forks! Blood of the Fifth Corps reddened, and in some cases almost deluged, every one of them. And, upon my soul, I hear the volleys again, and once more I see their colors crossing the Old Sanders Field in the Wilderness and wavering up toward the orchard on the Spindle farm at Spottsylvania! Come on, you that are left! Come on! I was young once, too, and shared those bitter days with you. God bless you, come on with those tattered banners!

Leading the First Brigade is Chamberlain of Maine, and for the sake of Round Top, the key of Gettysburg, which at the sword's tip he helped to save, and for the sake of his gentleness and knightliness, for he will bring that division to a salute when the Army of Northern Virginia marches by to lay down their arms, wave your laurel for Chamberlain.

There go Coulter, Bartlett, and Baxter; they do not know me, but I know them; and when I saw Bartlett last in the Wilderness, blood was streaming down his face. And here comes Crawford, neat and trim as usual; and behind him is Kellogg leading all that is left of the Iron Brigade of the West, the Sixth and Seventh Wisconsin; for the sake of that first day at Gettysburg let us rise and uncover.

And here comes the sturdy old regular, Ayres, with his division fresh from Five Forks. Look at those shredded and bullet-riddled colors! In their lacerated bands of red and white, and in those ripped, star-decked fields of blue, is written the visible history of the Army of the Potomac. Oh, let us be grateful for that breeze which has set them a-rippling. They seem to be rejoicing. And who has told the west wind that peace is coming?

There go the One Hundred and Fortieth, One Hundred and Forty-sixth New York, the One Hundred and Fifty-fifth Pennsylvania, and the Maryland Brigade. All hail! but oh, brave fellows, are you all that are left? Reader, if you should ever visit the field of Spottsylvania I wish you would go to where a stone bears this legend: —

FARTHEST ADVANCE ON THIS FRONT

THE MARYLAND BRIGADE

'Never mind bullets, never mind cannon, but press on and clear the road.'

That was the order they got from Warren that Sunday morning and I saw them try to obey it. Can I easily find it? Yes; and it will be glad to see you, and as you stand beside it in its loneliness and recall what it commemorates, you will feel how gently persuasive is the peace of the arching sky.

And now that they have all gone by and are mounting the hill, I feel sorry that I directed your eye to a few only of those brave officers and men. But perhaps I have delayed the narrative already too long. Would that I could keep right on with the story, and that I did not so often forget that the majority of my fellow men have no particular interest in the mysteriously suffusing lights which haunt the background of heroic deeds, but are concerned rather in the deeds themselves.

(To be continued.)

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THE AGE OF FAITH

BY ROBERT KILBURN ROOT

My friend and I were watching the graceful undulations of a Blériot monoplane as it lazily circled the aviation field after the mad swoops and spiral climbings which had caught our breath with fear and wonder. 'Ah,' said my friend, with a touch of reverence in his voice, 'the age of miracles is n't over.'

He is no mystic, this friend of mine; the grotto of Lourdes and the Christian Science temple interest him, if at all, only as curious instances of abnormal psychology; but his soul craved a miracle, it seems, and he found it at the aviation meet. A moment later he added, 'In a few years we shall all be flying, I suppose.' Although I knew, of course, that his words had no reference to the strong angelic pinions of a beatific hereafter, his second platitude led me to reflect that the 'age of faith' might not be over either; and when at breakfast next morning I read of one more aviator whose name had been added to the long death-roll, I caught myself muttering something about the 'age of martyrs.'

We are very fond of these vague phrases — the age of this and the age of that. It is so convenient to dispose of a whole century, or a group of centuries, by affixing a neat descriptive label and filing it away methodically in the card-catalogue of one's historical memory. The label seems somehow to clothe the nakedness of our essential ignorance; we feel that we have not only identified but have understood. We denominate certain prehistoric centuries the 'Stone Age,' and instantly the mists of our all but total ignorance seem to lighten. I suspect that Adam gave names to all the beasts of the field mainly that he might dispel the unfamiliar strangeness of them. Particularly convenient is it when the label has a certain philosophical tinge to it, so that we may seem to have caught and fixed the very soul and guiding principle of an 'Age of Reason,' or an 'Age of Faith.'

The Middle Ages, but little understood and vaguely realized, have been most frequently and continuously disposed of by this process of the descriptive label. Not many years ago the approved label read, 'The Dark Ages.' The kindly poet Cowper could refer to the 'tedious years of Gothic darkness,' and Shelley could speak of 'enormities which gleam like comets through the darkness of Gothic and superstitious ages.' Barbarism, violence, ignorance, and gross superstition — these ideas all lurk within the shadows of the word 'dark.' One had but to affix the label, and the heart of many centuries was presented on a charger. But this modern blackening of the mediæval kettle has gone out of fashion. The term 'dark ages' is now confined, by thoughtful people at least, to the two or three centuries immediately after the fall of the Roman Empire; the Middle Ages proper we now sentimentalize as an 'age of chivalry' or an 'age of faith.'

The Age of Faith, of child-like trust in the evidence of things not seen, of superstition, if you will; but how touch-

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ing in its naïve simplicity! With a strain of patronizing condescension, no doubt, but none the less with genuine weariness of heart, we turn back to the blessed days when the sea of faith was at the full, and listen with sadness to its 'melancholy, long, withdrawing roar.'

But is faith withdrawing or withdrawn? Is not faith, nay, even credulity, too intimately woven into the texture of the human heart ever to be unraveled and cast aside? Mankind does not abandon faith, but merely transfers it through the ages from one set of objects to another. The Middle Age was doubtless an 'age of faith'; so is our own age; so have been all the ages about which we have any knowledge. The eighteenth century, labeled by Carlyle the 'skeptical century,' and by its admirers the 'age of reason,' exhibits the most child-like trust in the efficacy and saving grace of Reason, Humanity, Liberty, Fraternity, and Equality, and a whole pantheon of splendid abstractions visible only to the eye of faith, which were to save and remake the world. The French Revolution, with its militant gospel of liberty, with its proclamation of a new heaven and a new earth, wherein does it differ, save in externals, from the passionately preached crusades of old? Rousseau is its Peter the Hermit, Mirabeau its Godfrey. Like the Crusades it sought through violence and cruelty to realize its burning faith.

To-day the faith of man has turned to the discoveries and achievements of science. I, for example, am not more credulous than my neighbors; but I believe firmly that, contrary to the evidence of my senses, the sun's rising and setting are due, not to the motion of the sun, but to the spinning of this so solid-seeming earth. I have no proof save the assertion of the astronomers — it is a believing where I cannot prove. By a similar act of faith I let my imagination expatiate in the infinite regions of interstellar space and gaze reverently at the ray of starlight which was kindled at its source a hundred years ago. *Quia impossibile, ergo credo.*

My friend the geologist speaks casually of the Eocene and of the Carboniferous Era; in his talk a thousand years are but as yesterday. I think somewhat wistfully of the tidy little six-days' creation of my fathers; but my faith triumphs and I trust the geologist, even when he tells me of floods which make those of Deucalion and old Noah seem but poor affairs at best. He tells me of vast ice-fields covering half a continent, and by way of proof shows me on an afternoon's walk sundry scratches in the rocks. I gaze reverently upon the scratches and assent. To these marvels and to many like them I have no choice but to assent. To reject them would be heresy to the faith of the age, and punishable as heresy. Were I, for example, to exercise my 'right of private judgment' by asserting openly that the sun and stars revolve about the earth, I should find my friends estranged, my opinions on all other subjects discredited, and my position in the university speedily vacant.

The central dogma of the new religion is the doctrine of evolution. The modern man accepts it as a matter of course, though probably not one in a hundred of those who accept can give a satisfactory statement of it, much less appraise the evidence on which it rests. Believers of the baser sort suppose that it asserts their descent from monkeys, and rather glory, it would seem, in the lineage. Those of finer nature suppose that it assures us of ultimate attainment to a more than angelic perfection. I am credibly informed that neither of these suppos-

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ings corresponds very accurately to the esoteric teachings on the subject. But what of that? The older dogmas of the Trinity or the Atonement have been vaguely or crudely understood of the many. Faith is fortunately not dependent on the power of grasping intellectually the finer subtleties either of metaphysical or of scientific thought.

Like all great truths, the doctrine of evolution has been widely fruitful. From its original application to matters biological it has spread to this region and to that until it has become, as the cardinal tenets of a living faith must always become, the central principle of all human thought and activity. It has rewritten our history; it has transformed our theories of society and politics; it has revolutionized literary criticism. Our sophists and modern schoolmen find in this doctrine both source and criticism for all distinctions of right and wrong. The tables of stone have been exchanged for the shifting sands of a 'pragmatic' sanction. One wonders whether, some centuries hence, when our present-day religion shall have faded and the inexpugnable faith of mankind shall have transferred itself to newer dogmas, one wonders whether the historian of that future age may not laugh at us for our evolution-madness, as we laugh to-day at the spiritual allegorizings with which the mediæval mind interpreted all nature and all art.

This modern religion of the scientific spirit demands and wins our assent not only to its speculative dogmas in the realm of cosmogony and metaphysics; it touches our daily life and issues in a new ethic. To its *vita contemplativa* it adds a *vita activa*. There is a heaven to be won by right living, and a hell to terrify the erring; a heaven of health and efficiency, a hell of disease and failure. Our life is girt about by a myriad of unseen essences, malignant and beneficent, demons and ministers of grace. That these essences are called bacteria rather than spirits is but an unimportant difference in terminology.

Poor Tom cowered before Frateretto and Smulkin and Hopdance; the foul fiends of to-day are the various schizomycetes and trypanosomes of disease, with names as uncouth as any in the old demonology. The first petition and the last of our modern *pater noster* is, 'Deliver us from infection.' Our charms and exorcisms are antitoxins and disinfectants. We have our ceremonial washings. We bind our brows with prophylacteries. Our incense we have renamed fumigation, with some loss the while in its sweet savor. Our confessions are made to the family doctor. Full and without reserve they must be, if his shriving is to avail. His kind but searching questions bring home to us the conviction of sin in matters where our blindness had recognized no wrong. We are bidden to forsake our evil ways with true penitence. But penitence is not enough: the wise confessor imposes also a fitting penance — the austere fasting of his dietary, the abstention for a season from pleasures and distractions ordinarily innocent. If our sin is very grievous, he may even relegate us to retreat in the wilderness, or to the rigorous observances of a sanitarium.

The firm belief of the people in the very existence of the disease-germ is a touching instance of the power of faith. Which of us has seen the germ of tuberculosis at any time? Certain holy men in our laboratories declare that they have seen it through the eye of the microscope, as holy men of old reported their visions of devils and of angels. We accept the reports of our seers as did our fathers in the so-called 'Age of Faith.' Woe to us if through skepticism or callous indifference we neglect the ceremonial purifications

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which they have established. If my house has been possessed by the foul devils of scarlet fever, it is at peril of active persecution by the law that I fail to burn my sulphur incense. By force of public opinion, and by law as well, I should be compelled, did not my abounding faith lead me of my own accord to purchase indulgence against the purgatorial pains of the smallpox through the rite of vaccination. The penance imposed is but the discomfort of a sore arm and some pence paid to the ministrant.

Faith is ever near akin to superstition; and in this modern Age of Faith, as in the mediæval, there are discredited hangers-on of the hierarchy, or it may be quack priests, who are ready, like the pardoners of the later Middle Ages, to coin human credulity to their own profit by the sale of lying absolution and indulgence. What else are the countless tonics and elixirs, the blood-purifiers and pain-killers and liver-pills which fill the newspapers and crowd the hoardings with their strident capitals? Every new revelation of the faith becomes a cure-all for the credulous and has its passing vogue. Liquid air and the X-ray have already lost their therapeutic prestige before the mysterious properties of magic radium.

For these abuses of the faith the hierarchs and true priesthood of science are not, of course, responsible. The established and recognized ritual of purification they indeed support, but with the clear recognition which has always accompanied true holiness and pure religion that outward forms and ceremonies, although useful as means of grace, are comparatively idle unless with them there go a right inward state.

Here is the more spiritual teaching of salvation as set forth in a recent book by one of the high priests of the science of bacteriology, Professor E. Ray Lankester: —

'For a long time the ideal of hygienists has been to preserve man from all contact with the germs of infection, to destroy them and destroy the animals conveying them, such as rats, mosquitoes, and other flies. But it has been borne in upon us, that useful as such attempts are, and great as is the improvement in human conditions which can be thus effected, yet we cannot hope for any really complete or satisfactory realization of the ideal of escape from contact with infective germs. The task is beyond human powers. The conviction has now been arrived at that, whilst we must take every precaution to diminish infection, yet our ultimate safety must come from within — namely, from the activity, the trained, stimulated, and carefully guarded activity of those wonderful colorless amœba-like corpuscles, whose use was so long unrecognized, named "phagocytes."'

The millenium, when Satan and his host shall be bound, is a fair and noble ideal, but the task of its accomplishment is 'beyond human powers.' It is well to make clean the outside of the cup and the platter; but the kingdom of health is within us, and our salvation is nearer to us than we believed. The gracious phagocytes are of our very tissues and blood; while we slumber they watch for our safety, and war continually against the devil and his infecting angels, if we will but cherish their activity within us. Our prayer to science must be not only, 'Lead us not into infection,' but, 'Create new phagocytes within us.'

In Dr. Lankester's book there is a picture of a phagocyte slaying a disease-germ. It is hardly so inspiring as the old picture of St. George and the dragon; but, I need not say, my faith accepts the phagocyte unquestioningly

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and entertains considerable doubt as to the historicity of St. George's great adventure. My forefathers of the Middle Ages, having heard no word of St. Phagocytus, believed as firmly in St. George and in his archangelic prototype. Did they not read of him and see him pictured in their books, even as St. Phagocytus is portrayed to me in mine?

I trust that the reader, if he has borne with me thus far, does not suppose that I am seeking presumptuously to discredit the revealed truth of modern science. Not at all. Like him, like all my fellows, I believe that on the lip of a common drinking-cup disease-germs lie thicker than the autumnal leaves of Vallombrosa, as thick as the angels whom the mediæval schoolman saw crowded on the point of a needle. I avoid the common drinking-cup, and shun all infection where I can. When it cannot be shunned, and that must happen daily, nay, hourly, I put my faith in my phagocytes and play the man, fearing not overmuch the pestilence that walketh in darkness or the sickness that destroyeth in the noonday. I believe, and my belief issues in conduct. I am merely maintaining that my belief, and that of most men, is as completely an act of faith as any that the Middle Age can boast.

I can hear my good friend, the Professor of Biology, rather impatiently retorting that his science asks assent only to what it can demonstrate. 'Come with me to my laboratory, and I will give you the proofs. You shall look through my microscope and see both germ and phagocyte.' But how am I, quite untrained in his science, to weigh his arguments or interpret what his miscroscope may show? This, he may tell me, as he adjusts the focus, is the germ of typhoid or tuberculosis. So may a devout monk reverently declare that the splinter of wood which he treasures is a very fragment of the true cross. So did Boccaccio's preaching friar exhibit a vari-colored feather which, as he declared, had been dropped by the angel Gabriel on his visit of annunciation.

Were I to look through my friend's miscroscope, I should at most exchange my general faith in his assertions for a more particular faith in his demonstration. I am content to rest in my general faith in him as a man of clear vision and upright mind, a scientist already canonized by the acclaim of his fellow hierarchs in the biological mystery. What he tells me is indeed marvelous, but it sounds reasonable, and my faith assents. Doubtless were I to enter his laboratory, receive his discipline, keep his vigils with him, in the course of years I might share his vision, and my faith vanish into sight. In much this spirit, I fancy, the faithful of the Middle Ages received the words of saint and hermit and doctor. These men had, by holy life and works, by fasting and watching, by instancy of prayer, penetrated into the mystery and beheld it face to face. These men *knew;* the many were content to believe. For every man there was the opportunity to enter a monastery or inhabit a hermit's cell, to adopt the life and rule, and ultimately to share the vision. The alternative, then as now, was faith in the vision of others.

The modern monastery is the laboratory. Here, vowed to obedience and poverty, and often to celibacy, the brothers meditate and labor. If *laborare est orare*, why should not the oratory be called the laboratory? Has not each its altar and sacred vessels? As I look across the campus from my college rooms, at any hour of the night I can see the lights burning in some chapel window of the great Gothic structure

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with the low square towers which the munificence of a pious donor has devoted to the study of life.

My friend, the Professor of Biology, was engaged not long ago in studying the problem of sex-determination in one of the lower forms of animal life. The nature of the investigation was such that particular stages in the process of gestation had to be observed at particular hours of the day and night. For a week he left his bed nightly at two o'clock and watched with an assistant acolyte before his laboratory altar; during the next week his vigil began at three; during the next at four; and so on about the horologe. Did ever mediæval monk observe his canonical hours with more devotion? Another of my friends was driven by ascetic zeal to withdraw last spring to a new monastery recently established on the drear, desolate, wind-swept rocks of the Dry Tortugas. The very name is a penance.

We have our shrines and holy relics also. In our museums are exposed to the gaze of the faithful the skulls and bones of great dinosaurs whose feet (if they had feet) trod this earth in I have forgotten which of the geologic æons. I have looked with proper awe upon the fossil bones preserved in the great shrine, visited of many pilgrims, on the western slope of Central Park. I have also looked upon the reliquary in the great cathedral of Cologne said to contain the bones of the Royal Magi, and in the near-by Ursulakirche I have seen the bones of the eleven thousand virgins who were the blessed Ursula's companions in her martyrdom. My faith in the authenticity of the dinosaur relics is, of course, complete; in Cologne I was, alas, skeptical. And yet, and yet! How much more worth while could I believe, as men once believed, in the Three Kings of Cologne! Them I should so gladly meet with in this world or the next. I should run away at top speed from a living dinosaur in either world.

It was once my fortune to be in Rouen on the feast day of St. Ouen, when the relics of the saint were exposed in his splendid church mid clouds of sweet incense and the chanting of Gregorians. I watched the vast throng of men and women and children as they pressed forward toward the altar to kiss the holy relics which the priests extended. I have never seen even a devoted scientist kiss the bones of a dinosaur.

Our modern world has not lost its faith, or even the blind faith we call superstition. Faith has merely changed its direction, and exercises itself on the temporal rather than the eternal, on the body rather than the soul. Perhaps there is some loss after all.

The Blériot monoplane, though it be lifted up never so high from the earth, cannot draw all men unto it.

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WOMEN IN INDUSTRY

BY EARL BARNES

I

In all the animal world one can hardly find a place where orderly effort, planned to secure some future advantage, does not appear. Getting food, defending life, and caring for offspring, have all combined to drive not only the descendants of Adam, but his ancestors as well, to sweat-producing effort. Of course this is not definitely planned by the workers; getting food often waits on appetite; defense is sometimes merely running away; and the young are frequently left to feed themselves or die. But the fact remains that in digging burrows, building nests, laying up honey and nuts, and in protecting and providing for the young, a vast deal of effort is put forth in forest and field which is not immediately productive of pleasure.

This work is seldom shared equally by all the members of the group. With bees, the drones and the queen alike are exempt from work, and an asexual group has been developed to feed and protect them. Some ants compel others to do their work; and everywhere there seem to be individuals who are constitutionally lazy, and others who, because of strength or sex-attractiveness, are able to get more than their share of food and protection with less than their share of effort.

From the first, some division of work between male and female grows almost inevitably out of their different relations to reproduction. Following conception, the male can always run away and leave the female to feed and fight for herself and her offspring, and he is very prone to do so. Even when he stays by and shares in the joy of the newly-born, he generally leaves the female to get ready the nest, and for the most part she protects and provisions it.

Among domesticated animals, where their working possibilities have been very highly developed, females are much more desirable workers than males. The maternal function partly explains this, as in the case of cows and hens, which give us milk and eggs; and even with mares and sheep the offspring adds to the general working value. Still, it seems to be true that, even for purposes of draught, the males are of less value than the females, unless reduced to the non-sexual condition of geldings and oxen. The stallion, bull, or ram is too katabolic, too much of a consuming, distributing, destroying force, to be very valuable in the daily routine of agriculture or commerce. While the female is generally smaller and less powerful than the male, she is quiet, easily enslaved; and, as we have said, her maternal functions can be diverted to our daily use. She produces more workers, and her flesh is more palatable, because less distinctive, than that of the male. Hence, among domesticated animals, selection based on considerations of work multiplies females and keeps males only for breeding purposes.

As a quadruped, the female suffers very little handicap from the functions

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peculiar to her sex, except when actually carrying her young or nursing them. When she stands erect, however, the support for the special organs of reproduction is far from ideal; heavy lifting, or long-continued standing, often leads to disaster; and the periodic functions, even in the healthiest conditions, must always place women at a working disadvantage as compared with men. Add to this the fact that women are smaller, less agile, and far less strong, than men, and even when not encumbered with young it is clear that a woman when confronting physical work in competition with men needs something more than a fair field and free competition. Idealists and travelers among primitive people love to tell us how easily women meet their special functions: carrying burdens equal to those carried by men, when on the march, and dropping out from the caravan for only a few hours to give birth to a child; but the fact remains that women in all primitive societies age quickly, and that those who are spoiled are thrown aside and forgotten. Woman's handicap as a working animal in competition with man is too obvious and too deep-seated to be idealized away.

In all savage societies work is clearly specialized between the sexes. The man, because of his superior strength and mobility, fights, hunts, and makes weapons of the chase. The woman fetches and carries, digs and delves, cures the meat, makes the rude huts, clothing, and pottery. Gradually she changes wild grasses to domesticated plants, and rears the young animals brought home from the chase till they follow and serve their human masters. She is truly the mother of industries, and it in no way detracts from her credit that her motherhood is here, as elsewhere, mainly unthinking.

With the exhaustion of the supply of wild animals, man is forced to turn his attention to the world of vegetation, and he takes over the direction of the plants and animals which woman has largely domesticated. In his career as fighter and hunter he has learned to coöperate with his fellows to a degree which aids him greatly in dividing the arable land, protecting his crops, and using grazing lands in common with the tribe. He has also learned to make stone hatchets, spears, and bows and arrows. Woman has not felt the same necessity to invent in her work; such new tools as she has devised have been helpful; but men who could not invent have been wiped out by those who learned to make stronger spears or better arrow-heads.

It is the same difference in adaptability which one observes to-day between the farmers on the western frontier of America and those who remain in their peasant homes in Europe. The peasant has even greater need of inventing than has his expatriated countryman in Colorado, but he lacks the driving impulse. It was the same with women and men under the conditions of savage life. Thus it came about that man's greater strength and mobility, backed by power of coöperation and invention, gave him the leadership in such primitive life as we find depicted in the pages of Homer, or in the epic of the Jews. True, woman was his first lieutenant, but he spoke for her in most of the larger matters of the industrial life.

With settled conditions and accumulation of wealth, the most desirable women were almost entirely freed from physical labor, and gradually became luxury-loving parasites and playthings. Meanwhile, slaves were multiplying, male and female; and while the most desirable women passed to the harem, the mass of them became drudges in house and field. It is hard

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for us to realize that it is exactly in those times when a few women are surrounded with great luxury that most of the sex are reduced to heavy labor and wretchedness.

During the early Christian ages, a tradition was gradually formed concerning woman's place in industry; or, rather, three traditions were formed. The working-woman of the lower classes was to be the housekeeper, which meant that she was to care for food, cook, spin, weave, sew and mend, scrub and wash, bear children, and nurse and tend them. If she were of the middle class, she was to supervise this range of work, look after dependents, conserve social conditions, and be the lady bountiful of her district. The second ideal was the woman of religion, who was to subdue her passions, observe set prayers and other religious exercises, and do the menial work of the convent. The third ideal was the lady of chivalry, who appeared after the tenth century. She was to be cared for and protected from work or anxiety; menials were to prepare her food, clothes, and ornaments; gallants were to wait her orders and do her bidding.

With the rise of Protestantism, and later with the rise of modern democracy, these ideals were blended, and women found themselves, not indeed slaves and subject to sale, but serfs, entangled in a mass of feudal obligations and bound to the house. Practically, most men still hold this threefold conception of woman's place in the social organism. She is to be a combination of housekeeper, nun, and lady. It is the kitchen-church-and-children ideal of the German Emperor.

II

Meanwhile the forces had long been at work which were to change the economic foundations of the family and enable the woman to emerge from serfdom into some new form of industrial relationship. From the rise of the European cities in the twelfth century, certain industries have tended, especially in the Netherlands and in England, to segregate themselves in farmhouses and towns. Women naturally participated in these activities, generally taking the least desirable parts. With the freeing of the mind which followed the democratic revolutions at the end of the eighteenth century, inventions blossomed out and perfected steam-engines, cotton-gins, spinning-jennies, and a thousand other machines driven by steam or water-power, which have changed the civilization of Europe and America. Miss Edith Abbott has shown us how this change, involving increasing segregation and specialization, came into America even in the pre-Revolutionary time.

Spinning and weaving industries led the way in this movement, but its full force was not felt until the late eighteenth century. Since then one industry after another has left the home for the factory, until to-day, in all large communities, even the preparation of food increasingly is done in the packing-house, the canning establishment, the bakery, and the delicatessen store. These industries needed hands, therefore the women followed them to the factories.

As 1870 marks the beginning of higher education for woman, so it also marks the beginning of her industrial self-consciousness. The perfecting of such inventions as the typewriter, the telegraph, and the telephone, and the creation of a great variety of office appliances, together with the perfecting of highly elaborate means of distribution, like the departmental store, created a demand for many thousands of cheap workers possessed of some slight intelligence, but not necessarily having

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any serious preliminary training. Our elementary schools and high schools have increasingly turned out a multitude of girls who are fitted to meet these requirements.

The increased cost of living, the lessened demands for labor in the home, and the attractions of the pay envelope, have called millions to work in industrial plants. In 1890 there were 4,005,532 wage-earning women in the United States; in 1900, 5,319,397; while in 1910, we had probably 8,000,000 independent working women.

Like most other great changes in civilization, this industrial transformation was neither preceded nor accompanied by any general consciousness of what was happening. Daily necessities were offset by weekly pay-slips, or the failures fell out of sight, and so the next week and the years followed. Country populations moved away; cities grew enormously, their growth leading to congestion in living, which, combined with the daily absence of women, has often transformed the old-time homes into communal tiers of tenements which are occupied during the day only by the young and the infirm.

The children of all ages at first followed their mothers into the factories; but the evil effects of child-labor were so apparent that repressive legislative measures have increasingly raised the age of their admission, until now, in the more advanced communities, they must stay outside the factory doors until they are twelve or fourteen years old. Some growing self-consciousness, largely of a police nature, has led us to institute measures for the protection of the children. Schools, play-grounds, day-nurseries, institutional churches, college settlements, and public social centres, now bid against the streets, the nickel shows, and the dancing halls, for the children's patronage.

Education, however, true to its origin as the assistant of theology, refuses to recognize in any large way the new world into which we have come, and where the next generation of children must follow. Manual training has, here and there, quieted the fears of some who had disturbing visions; and we go on employing an army of unenfranchised, celibate women, with little or no industrial experience, to teach ten million boys how to be good citizens of a republic, and how to serve in a modern industrial army, and ten million girls how to work in shops and factories, and how to live without homes. As a consequence, girls come up to the factories from their schools with ideals, so far as the school has shaped them, founded on unmarried schoolmistresses and George Washington; and they pass, by way of the altar, into cheerless tenements which the school still thinks of as places where children are cared for, where family clothing is made, and the family baking done. Practically, of course, our children are educated chiefly outside the schools, and under these conditions the evils of an unregulated time of transition are multiplied through imitation.

The wealth and material comfort produced for the fortunate classes by these segregated industries have blinded us to their effects on human life, and we have all been bribed to silence concerning everything which was likely to discourage enterprise or frighten away capital. Like almost all bribes, however, these have largely stopped in the pockets of the exploiters of public opinion.

In the opening years of this new century, public consciousness has had a wonderful awakening. The popular mind, quickened by universal education, and freed from a burden of fixed beliefs, is turning restlessly to inquire

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about everything that affects human life. Work could not escape this inquisition, and so we are not only asking for a fairer division of the profits of work, but we are also inquiring what occupations are unfit for women in view of their special limitations and obligations.

When the work is reasonable, how long should a woman work daily? Should she work at night and overtime? Should she work with dangerous machinery? Should she handle substances that endanger health? Should she be required to stand through hours of continuous work? Should she work in bad air, due to dust, moisture, or excessive heat or cold? Should she have a decent retiring-room? Some daring inquirers are even asking whether industrial efficiency, gained through specialization and keying-up, may not be purchased at too high a price of mental monotony and nervous strain. Most people are content to learn that the effects are not immediately destructive to the girls and women involved; but some day we shall demand that the barons of industry shall not be allowed to squander the heritage of the unborn generations.

Women have themselves done much to quicken this public consciousness. Enrolled in labor unions, they have shown power to stand together and make sacrifices, as they did in the shirtwaist-makers' strike in New York in 1908, which has commanded the admiration of all fair-minded observers. The more fortunately placed women have assisted these movements toward self-betterment, and through the instrumentality of such organizations as the Consumers' League they have compelled manufacturers and shopkeepers to observe more reasonable hours, to pay better wages, and to furnish decent material conditions for their employees.

III

The solution of woman's present industrial problem is not an easy task, but out of the present unsettlement certain facts are emerging with a good deal of clearness. The efficiency in production secured by concentration and specialization makes it certain that the old-time home with its multiplied industries will not return, but that more and more even of its present lessened activities will be transferred to factories and their equivalents. It is also certain that women are not going to be supported in indolence by men, because, when deprived of the discipline which full participation in life gives, they always degenerate. For themselves, and for the sake of their children, they will demand a chance to live abundantly; and much of human living must always be through work. It is also clear that our present chaotic, unreasoned conditions are destructive of health, happy marriages, effective homes, and of that strong line of descendants which must always be the chief care of an intelligent society.

In the first place, then, we must work to produce an entire change in our present attitude toward organized industries. Our present worship of industrial products, no matter how obtained, must give way to a recognition of the fact that the chief asset of a nation is its people, that a woman is more important than the clothes that she makes in factories, or sells in stores, or wears, and that to put a workingwoman on the scrap-heap is worse than to throw aside needlessly the finest and most costly machine ever devised by man.

Such a statement seems to carry conviction in its every phrase — but the fact is that we do not believe it, and until we do believe it there will be little help for our present absurd and wretch-

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ed conditions. Unregulated competition, backed by greed of individuals and groups, will go on wasting the wealth of women's lives until we cease to be fascinated and hypnotized by the display of products which they make possible. It is better that we should have fine women and children and few things, than stores and warehouses crowded with goods, and the women and children of our present factory towns. By fixing our attention on people, instead of on things, we should almost certainly secure more and better things; but regardless of cost, we must change the focus of our attention.

In the second place, girls must get ready to be women. Education in the home and the school must be unified, and together they must give a training that will lead girls into the actualities of the life that lies before them. Our present elementary schools, and still more our high schools, lead girls neither to intelligent work nor to intelligent living as women and mothers. Up to at least the age of fourteen the education should be general, looking to the development of all the powers of body, mind, and sensibilities. But through all these eight or ten years of training two factors should receive constant and intelligent attention. In the first place, we should realize that we are not fitting women for drawing-rooms or for convents, but for work, and therefore well-graded and interesting manual training should run through all these years and should furnish a well-developed base for later special preparation of some kind. In the second place, the girls should be taught by men and women, married and unmarried; and the highest ideals of actual womanhood, not alone in shops and factories, in schoolrooms and in professions, but also in homes, should be constantly held before them. Our present education leaves this training mainly to the homes, and neither the parasitic rich, nor our eight million wage-earning women when mothers, can or will attend to it.

After the girl reaches the age of fourteen she should have at least two years of further education in which she could master the details of some necessary work which would enable her to look the world in the face and offer fair payment for her living. With most girls this work would be connected with children and the service of the home; for domestic service, no matter how organized, must always occupy a multitude of women. All girls should have at least rudimentary training in these matters.

During the period of transition from schools to their own family life the girls might well devote a half-dozen years to work in factories and stores where the conditions should be as good and as well-guarded as in our best school buildings; in factories, in a word, where the employers would be willing that their own daughters should work. This is surely a fair standard. Work which is not safe or fit for me to do myself, is not fit for me to hire done. If this principle fails, then democracy is but a dream.

But during all this period of preparation we should never forget that, as Madame Gnauch-Kühne so admirably points out, 'Women's work has to a large extent an episodic character.' All women confront romantic love, marriage, and children; and any woman who misses them misses the crowning joy and glory of her life. Vicarious realization may save the soul, but it can never fill the place of reality. The man confronts these same experiences, but they do not affect his work as they affect the work of women. Surely there can be no doubt that the ideal termination of this period is a marriage in which a man and woman are so deeply

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bound together by love that there is no question of self-protection in terms either of work or of money; and the man, being freed from the burdens of maternity, should mainly earn the income.

We need also to determine, by careful study and experiment, the kinds of work that are specially fitted to women's gifts and limitations. The specialization so rapidly going on in industry means infinite variety if we look at the whole field of human activity. No intelligent division of labor, from the point of view of the special qualities of men and women, has been attempted in the period since all work was transformed by our modern inventions. Possibly men should do most of the dress-making, and women should make men's clothing; but no intelligent man or woman can doubt that most work falls naturally into the hands of one sex or the other. Some day we shall know enough so that there will be little or no industrial competition between men and women.

IV

If a happy home were the universal destiny of women, our problem would be greatly simplified; but this is far from being the case. Not more than one half of all women over fifteen are married at any one moment. From 20 to 35, one half are married; but it is only from 35 to 55 that as many as three fourths are married; over 55 there are less than one half married, and most of them are widows. The majority of the women who are not married must work outside the home; and no girl, rich or poor, should be allowed to reach maturity without being prepared to face this possibility. As we have said, work is not a curse, but a blessing; it is an indispensable part of every well-ordered life; and without it, the individual and the group will certainly degenerate. Rich and foolish parents who cannot realize this basal fact should nevertheless see that, even as insurance, their daughters must be able to pay their way in life, if need comes, without selling themselves either in marriage or out of it. Even if the woman marries happily, she is never sure that she may not some day have to face self-support, and possibly for more mouths than her own.

But the woman who marries during her adolescent period must also work between the ages of twenty-five and fifty, and here we meet the hardest problem of all. More money is often needed than the man can earn; the wife may bring an industrial or professional equipment which is too valuable to discard; often the demands of the home, especially where there are no children, do not call forth the best energies of the woman, and she needs the larger life of outside work. Hence, many married women must continue to work away from the home. In any of these cases the problem is difficult. Bearing and rearing a child should withdraw a mother from fixed outside occupation for at least a year. Arguments born out of conflict cannot change this primitive fact. Women should not do shop- or factory-work during the last months before childbirth, and babies should be nursed from seven to nine months. A baby should be nursed for twenty minutes every two or three hours of its waking time, and since it does not always waken regularly, the nursing mother is debarred from continuous work even if it does not interfere with her effectiveness as a milk-producer.

The question of maternal care for children after they are weaned is more difficult to settle, but notwithstanding certain statistics gathered in Birmingham in February, 1910, which showed

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that infant mortality among working mothers was one hundred and ninety per thousand, while among those not industrially employed it was two hundred and seventy per thousand, it seems certain that infant mortality is extremely high in foundling asylums and in factory homes. In Fall River, where out of every one hundred women forty-five are at work, three hundred and five babies out of every one thousand born die before they are a year old; while even in New York City but one hundred and eighty-nine out of a thousand die. The natural location of Fall River should make it a very healthy city. One remembers, too, the classic statements that in Lancashire, the home of women factory-workers, deaths among little children fell off steadily during the six months' strike in 1853, as they did in Paris during the four months' siege of 1870–71. Little children seem better off in time of war with the mother at home, than in time of peace with the mother in the factory.

All logic breaks down in the presence of growing things, as inexperienced city farmers and chicken-growers know. Little children need love and constant personal adjustments. Love does for them what sunshine does for plants; it is an indispensable condition of good growth for minds and feelings. So, too, the social instinct, being among the earliest and most important of our powers to develop, needs constant personal adjustment as the condition of its best growth and realization. Nine hundred and ninety-nine mothers out of a thousand give these conditions to their babies, while the best-trained and most sanitary nurse cannot secrete love for several children any more than one mother can secrete milk for a group of children. It is not a matter of good-will; it is a matter of human limitations.

A few years ago we turned to pasteurized milk and other prepared baby foods as the solution for unhygienic feeding of infants; to-day we know that even a dirty and ill-conditioned mother secretes better milk for her baby than can be bought in any laboratory. We must wash the mother and feed her the milk, and then let her give it to her baby, instinct with her own life. It is quite possible that our talk of ignorant mother-love and of the necessary substitution of sanitary nurseries, canned care, and pre-digested affection, must go the same way. We shall probably get better results by cleaning up the home, enlightening the mother, and then letting her love her child into the full possession of its human qualities.

Economically, too, at least with factory-workers, it is questionable whether wages will support sanitary day-nurseries with intelligent nurses for small groups of children, and at the same time pay some one to cook and scrub at home. If the mother must still cook and care for her own house, in addition to her factory-work, the burden is too great; and if the money for nurses must come from the state or from charity, then we all know the danger of such subsidies to industry in its effect on wages.

The only way to secure absolute economic independence is for the state to subsidize all motherhood. This seems a reasonable thing to do, but in that case let the subsidy be paid directly to the mother for the whole unproductive period of the child's life. Already some of our states are considering a pension for widows, regulated by the number of dependent children; and this principle once admitted will be easily expanded.

Surely the ideal toward which we must work is that the mother, during the period when she is bearing and

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rearing children, should be supported by the father of her children, or by the state, doing the work meanwhile which will best care for her children and at the same time conserve and strengthen her powers for the third period of her life.

This period of woman's life, from fifty to seventy-five years, is now more shamefully wasted than any other of our national resources. If one visits a state federation of women's clubs, he will find nearly every delegate of this age. They are women of mature understanding and of ripe judgment, still possessing abundant health and strength, and where relieved by economic conditions from the necessity of manual work, the relations which they maintain to life are such irregular and uncertain ones as inhere in the careers of mothers-in-law, grandmothers, club secretaries, and presidents of town improvement societies. Remove all restrictions on woman's activity, and these strong matrons would vitalize our schools, give us decent municipal housekeeping, supervise the conditions under which girls and women work in shops and factories, and do much to clean up our politics. Even debarred from real power as they are, they are still making us decent in spite of ourselves.

For the future, then, it seems that we must accept working-women in every path of life. We must remove all disabilities under which they labor, and at the same time protect them by special legislation as future wives and mothers. All girls must master some line of self-supporting work; and, except in the case of those who have very special tastes and gifts, they should select work which can be interrupted without too great loss by some years of motherhood. During this time the mother must be supported so that she can care for her own child, though she must also maintain outside interests, through work, which will keep her in touch with the moving current of her time.

Industries must be humanized and made fit for women. The last third of a woman's life must be freed from legal limitations and prejudices, so that we may secure these best years of her life for private and public service. And meanwhile, it is well to remember that every step we take in making this a fit world for woman to live in, makes it a fit world for her father, her brothers, her children, and her husband.

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THE WEAPONS OF RELIGION

BY MARGARET LYNN

And send the godly in a pet to pray.

MRS. JACKSON came out on the front porch and looked down the street, between the strings on which the morning-glories had sent up long twining shoots. But there was no man in sight, except the rural delivery driver from Number Six route, in his covered wagon, and the cashier of the bank moving comfortably homeward, with the assurance of supper in his easy gait. Mrs. Jackson went back impatiently into the kitchen. She turned down the flame of the gasoline stove to the very lowest point, and set the creamed potatoes back on it with an asbestos plate under them. Then she opened the oven door and, drawing out a pan of nicely-browning biscuit, turned up a corner one and tapped its inside surface with an experienced finger. After that she went through the hall and looked out of the front door again.

Still there was no one in sight. Now, even the children along the block had responded to calls from their various doors. It was fifteen minutes after six, and in Washburn everybody had supper at six precisely. It was a poorly-regulated family that was lax in the matter. Mrs. Jackson went back and stirred the potatoes, to be sure they were not scorching. Then she got out a folded tea-towel and tucked it in all over the biscuit, though at the same time she murmured impatiently, 'They'll be spoiled!'

Presently she went back to the front door. This time she did not go out on the porch. It was nothing less than humiliating for a housewife to wait on the porch for her husband when all other husbands along the street were already presiding at the heads of their tables. But she recklessly held the screen-door open a few inches, regardless of flies, while she pressed her cheek against it to look sidewise up the street. She could see for two blocks, all but one little place in the next square where two tall snow-ball bushes and a spreading box-elder quite hid a gateway. William was not in sight, either on this side of that place or beyond it.

Then suddenly she saw him, on the nearer side of the snow-ball bushes. She had not seen him approach them from beyond, and the deduction to be drawn was evident. She shut the door with a snap and went back into the kitchen. When William came in she was taking up the biscuit, and to his sprightly 'Hello!' she responded only with an unsyllabled murmur, — a murmur that did not commit her to a mood — and did not look up from the oven.

William took a second look at her back; then without saying anything more went into the neat little lavatory that opened from the kitchen, to prepare for supper. After splashing a few moments at the bowl, he laid his dripping hand on the rack of fresh-folded towels beside him, but on second thoughts wiped on the roller-towel instead. Mrs. Jackson, glancing sidewise as she filled the tea-pot, noticed the propitiatory action, but she only

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compressed her lips a little, and in no-wise relaxed her reserve.

'Supper's ready,' she announced in non-committal tones, carrying the tea-pot into the dining-room.

'Anything to take in?' asked William, pausing to look round.

'No, everything's here.'

'I guess I'm a little late,' William went on as he sat down, in a distinct effort to establish a pleasant atmosphere. 'Jens Peterson came in to get a gasoline stove, and he stayed looking at the fireless cookers. It beats all how those Swedes take up with things when they get started. He said, "I tank I won't take no fireless stove dis year." But he took the best gasoline range we had.'

William knew he could not imitate the Swedish brogue, but he was trying to make sprightly conversation. He ended his little speech with a sort of inquiring glance at his wife, out of keeping with the ease of his manner. But she did not look up or respond, and he meditatively opened a biscuit while he tried to think of something else to say.

Presently, without lifting her eyes from her tea-cup, Mrs. Jackson said, 'Was that why you were late?'

William hesitated a bare instant, and then said, 'Yes — he kept me until six, and then I stopped to talk to some one after I left the store.'

Mrs. Jackson said nothing. She was quite sure the delay had been made beside those snow-ball bushes. That was where Mrs. Cora Jessup lived. Three times lately William had stopped there on his way to supper; Amanda knew, because the first two times he had mentioned it. Mrs. Cora Jessup had a great way of being on her porch or in her yard when people passed. She had no one to get supper for but herself, and they did say that she took the care of her household lightly. Besides that, Mrs. Jackson had met her twice in the store in the evening, and lately she had got a habit of walking home from evening church with the Jacksons, and carrying on easy talk with William all the way.

Mrs. Jessup was an indefinite sort of widow, of the kind of widowhood that seems to carry but little recollection of a previous condition of matrimony. There had been a Mr. Jessup, to be sure. But he had been so little of a personage during his life and had taken himself out of the way so completely, that he seemed to have left no perceptible trace upon Mrs. Jessup. She had, however, earned the right to maintain a separate establishment, and to bear herself with the certified importance of a married person, and yet escape the real burdens of matrimony. And the experience that bestowed on her the position of widow had given her an easy manner in establishing relations with men, and an assured familiarity with them. She might have been the widow of twenty men instead of the one pale Henry Jessup.

At some time she had been a milliner, and had acquired from that experience a certainty and enterprise in personal adornment, far surpassing that of the other women of Washburn. She was much given to veils, veils that hung and veils that clung, veils that floated coquettishly on the breeze, and veils that drooped demurely to the shoulder. The Washburn women did not wear veils much except on windy days. Moreover, there was a notion that Mrs. Jessup used her clothes too much as a means of calling attention to her very good figure. In Washburn circles clothes were worn to cover the figures, not to display them. But Mrs. Jessup's dresses had a fit that made it impossible to forget the flesh and blood beneath them. Some women thought it rather vulgar. Besides that, having

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plenty of time for herself, she was always reëditing her clothes and bringing them up to date, and no one in town had newer fashions than she, or came out on the street oftener to show them off.

Nobody called Mrs. Jessup a light person. In Washburn they did not make criticism like that openly or rashly. Anyway, it would not have been true. She belonged to the Methodist church, and was valuable in church work, socials and suppers and bazaars, when she took an interest. The women stood rather in awe of her and her ease with men — middle-aged men she was not married to, at that. At a social she could always be relied on to bring the out-lying fringe of halting men into the light activities of the occasion. It was recognized that she could talk to any man, however inarticulate he might be in social life. Men often surprised their wives by their responsiveness in her hands, as compared with their accustomed stiffness. When she fell in with a man on the street he immediately found himself in the midst of a sprightly conversation, returning such repartee as surprised and charmed himself.

It was no wonder that she drew out the good-natured William, on the now increasingly frequent occasions when they met. William was a quiet, grayish man, with a sort of general, mild sociability, partly an extension of his manner in the store, and partly the result of a natural small kindliness. He could always make easy chat with his women customers, and had on hand a stock of trite sprightliness that served the purposes of repartee. Lately Mrs. Jessup had discovered this sort of adaptability in him. Mrs. Jessup found it interesting to talk to almost any man, but it was more interesting to talk to one who could make a retort that would draw out her own powers. So it had proved a pleasant thing to find excuses for dropping into the store for a few minutes of chat across the counter, or to be watering her flowers in the evening at supper-time, and take opportunity for a few pleasantries across the gate — while up the street Amanda Jackson waited supper.

This time Amanda was annoyed. It had not occurred to her to be vexed on the other occasions. An absorbing devotion to William's comfort and a natural strict conscientiousness in all things, had left in her little tendency to be lightly annoyed over anything. But for William to be late to supper, late unnecessarily, and late because he was leaning on Mrs. Jessup's front gate — that climax of provocations would have irritated the best-natured woman. So for a few minutes she maintained a manner that was frigidly cold.

William relapsed into silence. He knew perfectly well what would be the progress of Amanda's mood. She would be distant and discouraging for a minute or two, then silent for a little longer; and then would tell herself that this was not right, and would abruptly come back to her normal serious, pleasant tone of mind. And so she did in a minute. Even when presently he inadvertently quoted a remark of Mrs. Jessup's, she gave no sign of disapproval. And William went back to the store finally with no suspicion of what was really the cause of Amanda's annoyance. But for a few days after that he was careful to go home directly from the store.

Unfortunately, however, William was not the only one to be reckoned with. Mrs. Jessup was often out in her yard in the mornings and evenings of these pretty September days, and was very ready to throw a remark to a passer-by. It was often a remark that called for an answer, and brought the pedestrian to a pause at her fence.

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Then her kitchen range was out of order, and she went several times to the hardware store for consultation about it, and even thought it necessary to have Mr. Jackson come to her house to examine it. She kept him talking on the porch afterward, and there he was when Mrs. Jackson passed on her way to a meeting of the Aid Society. Mrs. Jessup called gayly to her to wait, — she would be ready to go along in a minute, — and William went back to the store.

Such little things as these were still occurring when the time for the autumn revival came. In Washburn, after the peaches were canned and the corn was dried, and the children were started in school, and the fall house-cleaning was done, and the evenings had grown long, came the yearly revival. Brother Andrews had been announcing it since early in September. Now it was imminent and, as usual, the way was to be prepared for it by means of a series of house prayer-meetings. This year, Brother Andrews announced, they would also have afternoon meetings for the women, and he entreated all the sisters to attend those held in their neighborhood. The feminine voice would rise more freely in petition when unembarrassed by masculine hearers, Brother Andrews thought.

So at prayer-meeting on a Wednesday night he asked what women would offer their houses for the first meetings. When Mrs. Jackson's neighborhood was named she, sitting in a back seat, hesitated a moment, as was always natural to her; but when Mrs. Jessup, in front of her, cleared her throat and leaned forward, Mrs. Jackson spoke up quickly: 'I'll take it.'

Mrs. Jessup looked round with an offensively pleasant air, while Mr. Andrews said approvingly, 'Sister Jackson can always be counted on for service.'

At the door, when the meeting was over, Mrs. Jackson waited for her husband a moment. He made it his custom to call for her as he came from the store in the evening, having a sort of impression that by so doing he obtained some credit for going to prayer-meeting, though he rarely got more than an unearned benediction. This time Mrs. Jackson had to wait a few minutes for him. And Mrs. Jessup, holding a lively conversation with Brother Andrews at the front of the church, finished it exactly as Mr. Jackson appeared, and so was ready to saunter homeward with him and Amanda. She had enough vivacity left on her hands to carry over into a new conversation.

'It was perfectly dear of you to take that meeting,' she began. 'I was just going to say I would, — I'd do anything for Brother Andrews, — but I'm going to wash my curtains this week and I have my parlor rug up now.'

Mrs. Jessup was a rather ostentatious housekeeper, so far as her housekeeping went. But Mrs. Jackson could not help remembering that the rest of the house-cleaning in town had been done for two weeks.

'Would you like a job beating rugs, Mr. Jackson?' she continued coquettishly.

William was walking between the two women. 'Will you come down and sell implements while I do them?' he responded jocularly.

'Do you think I could sell a man a binder?' asked Mrs. Jessup, her glance taking Mrs. Jackson in on the audacious joke.

'Sure. That would be the first thing they would ask for when they saw you.'

Mrs. Jessup again, with her eye, invited Mrs. Jackson into the jest, as she and Mr. Jackson laughed together over their smartness. Mrs. Jackson smiled constrainedly. She did not wish to be stiff, but she never had found

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that kind of talk really amusing. And between a widow and a married man, — even when his wife was along, — it offended her prim notion of good behavior. William's manner irritated her, too. He was strolling along with a loitering step and a slight hint of a swagger, and at the same time a careful regard for the mannerisms of youth. He had long ago ceased to take his wife's arm, after the village custom, in going over a crossing. But to-night whenever they came to a crossing he took the elbow of each woman in a gingerly nip, in the manner of the smart youths of the little town.

'You men,' said Mrs. Jessup — Mrs. Jessup was always beginning statements coquettishly with 'You men' — 'You men are n't going to get your share of praying out of these house-meetings.' She said this with a little laugh over her shoulder, intended to take the edge off her flippancy.

'You'll have to pray for us,' answered William.

'We'll hold a special meeting for the men. They certainly need it,' said Mrs. Jessup, with a smile that invited another retort. She could never talk with any man without reminding him that he was a man and she was a woman.

Mrs. Jackson was moving stiffly along, half-shocked and wholly disgusted. In her youngest, liveliest days, she had never essayed such dialogue as this. Was this the sort of talk that kept William from his supper, and made him hang conspicuously over Mrs. Jessup's front gate on his way to the store? To Mrs. Jackson it was of a silliness she could not even comprehend. When Mrs. Jessup would appeal to her with, 'Don't *you* think so?' or, vivaciously, 'What *would* you say to that, Mrs. Jackson?' as if William were too clever for one woman to answer, Mrs. Jackson could not even think of anything to say. But for the first time she was more annoyed with Mrs. Jessup than with William. He was silly enough, but how could he help it when a woman was acting like this?

She would have gone home in this mood if it had not been for one little thing. They had reached Mrs. Jessup's gate and had stopped for a minute, Mrs. Jackson waiting in silence with a forced smile on her lips while the others finished their pleasantries. She tried not to wear too detached an air; but as other people passed, and gave a second look to identify the group, she frowned in embarrassed impatience. At last she turned to say good-night to Mrs. Jessup, and to urge William's departure. But as she did so, something in William's attitude struck her. The ingratiating turn of his head, the droop of his thin shoulders over the gate, had in them a familiar suggestion. Something like this had been his manner at the Lane gate years ago. The flash of a new conception of the matter took the words from her mouth. Instead of being merely a piece of middle-aged silliness, it suddenly took on something of the reality of a youthful affair. She abruptly cut across their jocularities with a short good-night, and moved on, and William was obliged to follow and join her.

Mrs. Jessup looked after them with a smile in which shrewd amusement took the place of coquetry. Then she gave a little twitch to her shoulders and went into the house.

'What's your hurry?' said Mr. Jackson, taking two or three of his short, quick steps to overtake his wife.

'I have to set bread to-night,' answered Amanda, after a pause to make sure of her voice.

'You women set bread at funny times,' said William, with the intention of starting an easy conversation and carrying over the jocularity that had distinguished the dialogue just

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closed. It would be something of a novelty to exchange quips with Amanda, but he liked the pleasant exhilaration that went with the exercise.

Mrs. Jackson tried to answer him, but his 'You women' reminded her too strongly of Mrs. Jessup's playful 'You men,' and she halted on her reply, and gave it up. So they finished the walk in silence, William putting on an assumption of ease by pushing his hat jauntily to the back of his head and whistling softly to himself. Mrs. Jackson went straight to the kitchen to set her bread. As she sifted and stirred vigorously, she succeeded in telling herself that she was very foolish, that William had acted like a sort of goose, but then any man — But when she was through and went back to the sitting-room, she found William sprawled in a rocking-chair, his hat still on the back of his head, his far-away gaze resting on the flame of the lamp, and a fatuous smile of pleased recollection on his face. She went out and shut the door, and went direct to bed, leaving William to come to himself with a start, half-sheepish at being caught in such a manifestation of mood.

She got breakfast in silence the next morning, and they ate it almost in silence, despite William's gentle, tentative efforts at conversation. Amanda might have responded more naturally if a pink cosmos had not adorned William's buttonhole, a piece of vanity that seemed to her exponential of his state of mind. Whenever she looked up she saw it, and it irritated her into silence again. All the morning she tried to adjust herself, and to be sure that she was seeing things sensibly. But whenever she began to think she had brought herself to a state of fairness, she found that, after all, she was really putting William on probation in her own mind. What would he do to-day? Would he see Mrs. Jessup?

At noon he was only a few minutes late — not enough either to vindicate or to condemn him. His flower was gone, but that might have withered. Amanda was deeply ashamed at finding herself thinking of the matter. But in spite of her compunctions she could not, even with effort, respond to William's attempts at talk, and one subject after another dropped heavily, while poor William looked puzzled and nervous. At last, rising to go, he paused with his hand on the door and looked back inquiringly. But all she could say was, 'What time will you be home to supper?' — and that without looking up.

'At six,' answered William, in a tone that said righteously, 'Am I not always home at six?'

But Mrs. Jackson said no more and he went out.

All the afternoon she struggled against the notion that six o'clock was to decide something momentous for her. She kept telling herself that there was nothing in the whole affair; but whenever she decided that, she found again at the back of her mind the same uncomfortable expectation as before. The momentary picture of William at the gate last night kept returning to her — a picture that duplicated one which she herself had cherished. She and William had not had a very romantic courtship, but in her sober, reserved way she had stored up some bits of it to keep secretly always. This affair made her feel as if her small sentimental hoard had been pilfered.

She settled down at last to do some hemstitching, but she could not help watching the clock, and she started supper fifteen minutes earlier than usual. It was ready just at six, but she made herself wait a few minutes before she went to the door and looked up the street. William was not in sight. She went back to the kitchen and found

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a task that occupied a few moments, and then returned to the door. Away up the street William was coming with a lady — a lady who, even at this distance, could be seen to toss her head jauntily and flutter a veil and anon lean toward William; and once she even seemed to put her hand on his arm. Amanda watched them until they disappeared behind the snow-ball bushes and the box-elder tree. Two minutes passed, three minutes, and William did not reappear.

Mrs. Jackson turned abruptly back to the kitchen. It was already seventeen minutes past six. She looked about uncertainly for a moment, then with sudden decision put out the fire, took a loaf of bread from the bread-box, wrapped it up, and hurried from the house. She had last night promised old Mrs. Black a loaf of salt-rising bread, and this now afforded her an excuse. Yet she could not help, so ingrained were her habits of reasonableness, setting the clock in a conspicuous place in the middle of the kitchen table.

As she went out of the side gate William came into sight along the street. He called to her, but she only turned and looked at him and went on. He stared after her a moment in amazement. The spectacle of a housekeeper — and Amanda of all — leaving her house just at supper-time, was almost astounding. He went on into the house. In the kitchen he saw the clock, but drew no deduction from it, and loitered uneasily about the house waiting for Amanda to return.

Logically, William should have been smitten by this time with a sense of guilt; but in fact he was not at all. He had a sort of consciousness regarding his relations to the sociable widow, partly embarrassment, partly sly pleasure, but no feeling of wickedness lent any spice to it. The only trouble with William was an infection of belated youthfulness. Had he had his fill of flirting at twenty-five, satiety would have kept him from tasting it now. His courtship of Amanda had been a quiet affair, qualified by his commonplaceness and her seriousness. Amanda loved him, to be sure, but it was more exciting to be obviously admired than to be the object of calm affection. A coy, admiring glance between the lashes was more thrilling than practical evidences of sincere esteem. William did not return Mrs. Jessup's glances, but it gave him a jaunty sense of youthfulness to receive them, and to feel that the book of youth was not quite closed.

There was really very little on his conscience when at last he carefully brought in his own supper from the kitchen, spilling nothing and soiling nothing, and ate it in solitude, still wondering what was the matter with Amanda. He lingered restlessly for a few minutes, and finally went off to the store. When he came back Amanda was in bed, and apparently asleep.

In the morning she seemed to expect that no allusion should be made to her absence, and she sat with her eyes on the coffee-things, and ate little breakfast. William's impulse was to ask her what was the matter. But by this time it seemed awkward to do so. Moreover, he hardly knew how to begin — he had never before had to inquire into any vagaries in Amanda's perfectly reasonable temper. He came in at noon with a briskness and jauntiness which he assumed at the gate, and which was intended to ignore existing relations and put things on a new basis. But he found Amanda as immobile as ever. Then he did what he had not had a chance to do in ten years — he sulked. Again they finish the meal in silence.

'There is just one thing I want to

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know,' he said with animus as he rose from the table, 'Will you be here at supper-time?'

Mrs. Jackson turned a steady eye upon him. 'Yes. I'll be here at *supper*-time.'

William blinked, but, gathering up the fag-end of his assertiveness, he added, 'Because if you won't, I'll take supper down at Jones's restaurant,' and went out and slammed the door.

Mrs. Jackson wished it were not the day of the prayer-meeting. She had never felt less inclined for one in all her life. But she set her parlor in order, and put a fresh embroidered centre-piece on the table, and brought in chairs from the dining-room, and put on a clean shirt-waist. Old Mrs. Black came a half-hour early, and sat and quavered about her neuralgia and the condition of the church and the need of a revival, and Amanda tried hard to give her attention to the talk. Then came Mrs. Carson, and they talked about the prospect of a good attendance, and who could be counted on to come.

'I wonder if Cora Jessup will be here,' said Mrs. Black, with a sort of slyness in her tone that brought Mrs. Jackson out of her abstraction, though she could not be sure the old lady meant anything by it.

'I *think* Mrs. Jessup is a good Christian woman,' said Mrs. Carson with sudden sternness. It was her way to be sporadically belligerent, and this time no one inquired what her remark meant.

But Mrs. Jackson wondered, with a new kind of indignation, if anyone else had been noticing. She did not have time to think of it, however, for now more women appeared, — Mrs. Weston bringing with her a clinging odor of peach-pickles, and Mrs. Johnson with a whispered statement that she had bread in the oven and had to go in half an hour. Mrs. Ward had left her baby with a neighbor's child, and merely took a provisional seat on the edge of a chair near the door. Other women came, and settled themselves with the air of having an hour of recognized duty before them.

The uncomfortable air with which women accept the responsibility of a prayer-meeting was modified when Mrs. Jackson asked Mrs. Black, a veteran in public devotions, to conduct the meeting. They dropped to their knees in some ease of mind as she lifted her voice to pray that those who were set in the watch-tower of Zion might be strengthened, and that there might be a great outpouring of the Spirit on the fields that were ripe for harvest. Then, alternating with some weak hymns, she called on one sister after another to follow her, including Mrs. Clark, who gulped and hesitated, and stammered, 'Let us repeat the Lord's Prayer.'

Just before Mrs. Jackson was called on, there were quick steps on the walk, and a rustle and flutter in the hall, and Mrs. Jessup came in, with a great show of making no noise and of implied apology for being late. If Mrs. Jessup had not worn a silk petticoat and tea-rose perfumery, what followed would not even then have happened. But the swish of her hidden silks as she changed her seat twice before she was settled, called attention loudly to the ginghams and shirt-waists of the other women. And the perfume borne abroad by the flutter of her unnecessary fan seemed to demand a special atmosphere for her. Even her graciousness and the obvious decorousness — and rustle — with which she finally sank to her knees with the others, irritated Mrs. Jackson beyond endurance. When, later, she looked back on the episode, she could not recognize Amanda Jackson in the part she had played.

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In Washburn, the accepted style for prayer involved much circumlocution and euphuism. No spade could be prayed for as a spade; it was described in two dependent clauses and three prepositional phrases. A really artistic and professional prayer abounded in definition, and involved the methods of a lexicographer. But when the Conference sent Brother Andrews to the Methodist church, a new thing was heard. He said boldly, 'Bless John Hunt, who is going to California for little Mary's health.' It was a startling thing at first.

Now, impulsively, as Amanda lifted her voice, with the consciousness of Mrs. Jessup kneeling beside her and joining undesired in her petitions, she began to follow Mr. Andrews's personal methods. She would give Cora Jessup something really to join in on. She began to pray for every one present, calling her by name, but using the accepted language of petition. She prayed for Mrs. Black, that she might bear the afflictions and calamities of age and remain for many years a mother in Israel; she prayed for Mrs. Ward, that she might be enabled to bring up her children in the nurture and admonition of the Lord; she prayed for Mrs. Green, who was going to Idaho for her asthma; she zig-zagged round the circle, wherever she found likely objects for petition; and then — she prayed for Mrs. Jessup.

'O Lord,' she prayed clearly and calmly, 'comfort her for the loss of her husband and help her soon to find another. Keep her, in her discontentment with her condition, from wandering from the paths of seemliness and — decency. Let not her vanity be a snare to her. Let her remember that sobriety and modesty are counted unto a woman for righteousness. May she be, as widows in the church should, an example to the younger women of the flock. Keep her, we beseech Thee, — a — respectable.'

Amanda's vocabulary was at fault. She would not have said *respectable* and *decency* if she had had time to think of other words. But having launched them, she hurried to the end with a few general petitions.

She had scarcely paused on the 'Amen,' and the women — whose ears were now accustomed to the sound of the familiar petitions and who, feeling that the end of the meeting was near, were only half listening — were just raising their heads, when Mrs. Jessup's high tense voice broke in. The women dropped their heads again, settled down a little more on their knees, and Mrs. Jessup prayed. Mrs. Jessup was a little at a disadvantage, in that the long-established phrases of devotion did not come to her lips so readily as to Amanda's, and she lapsed occasionally into her natural locutions. But she rushed into the usual introductory petitions and then, after thus paying her respects to custom, she promptly reached 'the sister in whose house we are meeting,' for whom she prayed sweetly, in fervent tones. And then she prayed for — William.

In the tone of one battering the throne with petitions, she entreated that his wife be given grace to bear the peculiar trials of her lot, the foolishness and vanity of her partner, and his wandering eye. 'Give her and others,' she begged, 'patience to stand this nonsense. May he see the error of his ways, and not make himself a show to the whole town. Keep him respectable, and let him not try to imitate people so much younger than himself. Keep him from behaving so light and silly, and bothering other people that he is boring to death — '

Mrs. Jackson rose abruptly from her knees and sat up on her chair. Mrs. Brown, who was looking inattentively

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through her fingers at the pattern of Mrs. Carson's embroidered bag, lying on the floor beside her, and Mrs. Ward, who had been fancying she heard her baby cry, and Mrs. Black who was deaf, were all aware of a movement, and also rose automatically and took their seats, looking blankly round. The other women retained their devotional positions, but, hearing the stir, raised their heads to look inquiringly over their shoulders. Mrs. Jessup, aware of a rustle behind her and not sure what it meant, closed with a hurried 'and Thine shall be the glory,' and rose to her feet.

What would have happened next no one knows, for at that moment Mrs. Ward's neighbor's little girl came dashing up to the window, flattened her nose against the wire screen and gasped, 'Oh, Miss Ward, come quick! The baby 's swallowed a button off of his cloak, *whole!*'

Mrs. Ward rushed away precipitately, followed by Mrs. Green, and the meeting broke up abruptly. Mrs. Jackson's glance did not meet Mrs. Jessup's in the leave-taking.

William came home that night at two minutes past six — the two minutes a matter of intention. Supper was not quite ready, but Amanda was hurrying busily about, making muffins and creamed chicken, a combination William loved. It did not lie in Amanda to make a demonstration or to explain things, but he at once recognized a change of atmosphere.

'Can I do anything?' he asked affably.

'Yes — if you don't mind — get some fresh water and bring in that pitcher of cream from the ice-box.'

Amanda's tone was perfectly natural.

William checked a sigh of relief as he sat down to the table. But he did not mention that Mrs. Jessup had been on her porch as he passed, and that at sight of him she had merely nodded and had gone into the house and shut the door.

LIVING CARICATURES

BY ELLWOOD HENDRICK

Let not the scornful think themselves exempt: for they, in truth the least of God's blessings, are of all men and women the most absurd and the most ridiculous.

NEARLY everybody is a caricature of his own ambitions. Indeed, he is of a poor sort who is not. So long as one's ideals are beyond him, ahead of him, rather than cast aside or forgotten, he is sure to be an inadequate representation of what he wants to be, uneven and distorted in one way or another, and hence a caricature.

Let us go to some place where people foregather — to church of a Sunday morning, for instance. We must sit so that we may watch the people as they enter. Everybody walks down the aisle as what he would like to be, — what he feels in his heart that he has it in him to be. There's Mr. A., for instance, who is book-keeper down

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at the factory; but on Sundays he is free of his task and there you behold him: the Reasonable Man with the open mind, prepared to give valuable deliberation to any problem that may be presented. Few problems are presented to him except in the balancing of his books; and his wife manages his family, so that he has but slight opportunity to exercise his greatest gift, or what he would like to have as his greatest gift, — the faculty of sound judgment. His walk, his gestures, and his attitude, all show it.

His wife is a good woman and efficient, but not very interesting you may say. That is because you do not consider her with her Sunday hat on, or watch her carefully. In her heart she is a great lady, fully equipped for grandeur; and if you look deep enough, you cannot fail to see the picture of the Lady Marguerite (her husband calls her Maggie) walking down the gravel path of the palace garden with two pages in black velvet carrying her train. It's all there: surely, you can see it if you half close your eyes, and look intently. She has something of the grand lady without any doubt, and her imagination surely plays about the idea. Whether it is a visiting ancestor who suggests it to her spirit, or she really is well equipped for the part now, to-day, if circumstances permitted it, is indeed hard to say. I rather think she could give a very respectable welcome to prosperity — which is more than may be said of most people.

If it is in a country church, and you see a young man who evidently has not the gift of orthodoxy, a none-too-willing worker in the vineyard, and yet for whom a vine has been found, — in short, the dashing 'Libarian' of the Sunday school, — you know at a glance that it is the girl in the red hat who keeps him at his job. He would rather catch one man out at baseball than gather an hundred into the Sunday school.

Observe the plate-passers in all their glory. As like as two peas in a pod, you say; but I deny it. They are as other men, and have hearts and feelings, and even romances. The one is president of the Upidee Manufacturing Company, and the other is cashier of the Upida National Bank. See how much more authority Upidee has than Upida as they march up the aisle in West Point style, while the organist, who knows his business, executes a finale to the offertory in 2–4 time.

Unhook Upidee's ribs and look into his heart. Behold the picture: The individuals who are the choice of the few Representative Men of the Nations of the Earth are gathered together to determine a few of the things which, the parson intimates in his prayer, rest in the Hand of God. Note, please, that Upidee is a Member of this Committee.

Upida looks secretly at an entirely different picture. If he had only had the benefit of a college education, he thinks, and if — but with no disloyalty to Harriet, be it said — he had not married, he might be in some indefinite place among, and a part of, a group of people of distinct and illuminating culture. He has bought on subscription so-called libraries of the World's Best everything, which he reads with diligence; but unhappily he cannot remember what he reads. He is in truth a caricature of a man of culture, but he is not funny except for the little kink in his mind about what sounds like 'Collie Jedgication.'

Bachelors of Art find some other reason why it is not given unto them to browse in the pleasant pastures of the mind, whilst those without a degree find a delectable sorrow in the belief that this is their greatest lack.

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I am sure that I should like Upida better than Upidee, although the latter is a far more efficient head of the Upidee Manufacturing Company than his brother plate-passer could ever be.

Harriet, the wife of Upida, is a living joy to the man with eyes. Her ideal is the Affable Lady. She makes dreadful noises when she talks, she bumps into people right and left, and, having done so, assumes varied and surprising attitudes of affability. She does not read a book in six months, but she does a thousand generous and kindly things in far less time, which, after all, make her the more worth while. Indeed, she comes closer to her ideal than most people. Her ideal is not awkward and does not cackle, whereas she is the one, and does the other; and these are the greatest differences between her and what she would like to be.

Here comes the meanest man in seven counties, and yet see what an inspiring picture he carries in his heart: the vision of the Just Man. He only wants what is right; no one ever said he took what did not belong to him. He owes no man aught save good-will — and he is not wasteful of that. 'Fairness' is his watch-word, which he pronounces with a flattened *a*, as in hat. The picture is none too clear, but it is there, nevertheless, of men and women coming to him from far and near for judgment sound and ripe, untempered by foolish emotion. These people gathering round him in his imagination have finally discovered that his point of view is the only sane one.

But we need not abide in church to see the picture-show. On the street, in the cars, almost anywhere where there are people, is a good place. There is the humorist with his wink and smile; the satirist with his sneer; the man of feeling with a countenance which he hopes expresses suffering; the heavy, fussy man with visions of airy grace, as you may see by his agile steps and sweeping gestures. A feature at once encouraging and pathetic, that one sees on every hand, is a willingness and seeming preparedness to undertake great responsibilities; big, dramatic responsibilities. Sometimes it is great sport, and then again you wish you could not see the grim caricature, which you resent.

I have in mind a man, of noble ambitions, a few years ago, whose sense of duty took him among a group of men who were, on the whole, a tough brotherhood. To even things up, he addressed himself in his play-time to the ultra-fashionable, among whom he was welcome. He was greatly desired by those who followed relaxation as a primary object, and the tough brotherhood liked his popularity because it established their leader as having quality.

Years have passed, the ambition to be of great service and do great things has been laid aside, but the disposition to be very smart socially remains well established. It abounds in him, in his speech, his accent, his bearing, and his views of life. His comments on people have to do almost wholly with their short-comings and their absurdities; and they are made in derision. So, while his interest is keenest in observing the ridiculousness of others, he himself is becoming a comedy character of the tired, bored type. Twenty years ago this type was a prime favorite in low comedy, and it is still a stock feature in variety shows.

Where poverty pinches, there is the least caricature. Neither good manners nor ideals are easily maintained under stress of poverty. Poverty wants work and meat; and there is no imagination in such a need. Perhaps that is why the exceptional men, the

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men of genius, are so frequently those who have had the strength to cling to their ideals through poverty. The rest of us might have given up under the straw.

I have tried to satisfy myself wherein the humor of poverty lies. The first impulse, if one wants to make a picture of a funny man, seems to be to draw a raggetty man. Perhaps it is because poverty offends against the conventions of luxury, and the rudimentary mind conceives luxury as the fulfillment of joy and pleasantness.

This comedy, this caricature play of our own ideals, steps in as soon as we have a chance to grow. It is with us, dancing round and about us, so long as we amount to a hill of beans. When we are used up or spoiled, and our ambitions becomes atrophied, and when we finally have n't even the desire to be anything better than we are, we may cease to be absurd. Until then, we may as well make the best of it; we are bound to be but caricatures of what we really, inwardly, secretly want to be. We need not be ashamed of it; all the other fellows are in the same boat.

THE CONTRIBUTORS' CLUB

MANNERS AND THE PURITAN

Mr. Ellwood Hendrick's article, 'We Are so Young,' which appeared in the May *Atlantic*, will bring satisfaction and refreshment to many of us, who have long felt as he does on the subject of American manners.

The question, as he raises it, is not whether American manners are bad, but whether, if they are bad, we can allow the 'older' nations to excuse us on the gound of our 'youth.'

Many of us must agree heartily with Mr. Hendrick in his protest against the acceptance of this excuse. We may go even further, and maintain that we cannot afford to claim or accept exemption from world-standards of manners on any ground whatever. If, however, we are seeking, not excuses but reasons, I am inclined to think that, at least as far as New England, and those sections of the country which derive from New England, are concerned, we have paid too little attention to the possible effect on manners of a Puritan tradition.

The Puritan conscience and other things about the Puritans have, perhaps, been a little overemphasized, but it is, I hope, not altogether fanciful to suggest that the habits of mind which fostered the Puritan reaction and which were in turn fostered by it, are not of a sort which would blossom and bear fruit in comeliness of manner and of phrase.

For this was a reaction from what? From what seemed to them empty ritualism, with its attendant evils of worldliness, vanity, subservience, easy-going acceptance of authority, shirking of individual responsibility. These things were embodied in the court and the cavalier, in the papacy and hardly less in the episcopacy. They wore, it was admitted, a pleasing shape, but the heart of them was rotten.

But reactions always swing too far,

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and the Puritans proved no exception to the rule. In casting off worldliness, they cast off, also, some of the courtesies of life. In condemning subservience and easy-going, they condemned also deference and tolerance. In putting aside vanity and untruth, they gave up a certain daintiness and comeliness in the ordering of life. Not necessarily all at once, and certainly not with any intention. It is conceivable that the effect of this attitude might not be apparent at first. I do not know what were the manners of my ancestors; they may have been as finished as any courtier's; but I know the manners of some of their descendants, and I am sure no court would find them appropriate.

The old world, and the older religion, stood for the efficacy of ritual. 'Never mind about thinking,' it said in effect, 'there are those who will do that for you, in government, in learning, in religion. All you need to do is to perform the rites as they are laid down for you. This way lies salvation.'

The Puritan responded, 'This way lurks damnation. Ritual is nothing; nay, it is worse than nothing if it comes between you and the truth. See to it first of all that your heart is right. Examine yourself sternly and cast out hypocrisy. All else matters little. No authority can do a man's thinking for him. Each for himself, men must face God. Observances, ceremonies, are Popish abominations. What does it matter if the outer man be altogether pleasing, so long as the soul of him is damned?'

Now, whatever might be the first effect of such an attitude, the ultimate effect could hardly help being a minimizing of the importance of all the externals of life. The theory might actually justify a good deal of this, and practice might tend to go even further than theory. For when once you have said that if the heart is right externals are unimportant, it is easy, by a confusion of thought very common, to assume that externals are not merely subordinate to the things of the heart, but are actually at war with them. The phrases 'empty form,' 'hollow sham,' 'rough honesty,' 'rugged virtue,' indicate a tendency to regard the inner and the outer virtues as antagonistic. Has a man pleasing manners and courteous address? His heart may nevertheless be black. This does not, indeed, warrant us in assuming that because he has pleasing manners his heart is therefore black, yet the passage from one conviction to the other is curiously easy.

The quality that New Englanders worship is sincerity, but they can with difficulty conceive a sincerity that is not also a little rough and blunt. Polish rouses their suspicion. They can appraise a rough diamond more easily than a finished one. I suppose we all know the New England mother who says, 'Manners are all very well, but what I care about in my children is their morals. I would rather have my children truthful and good than have them learn to bow gracefully and say, "Pardon me."'

If one suggests in answer that these things are not mutually exclusive, that not all rude children are truthful, nor all well-mannered ones hypocrites, she looks at one a little askance. She is of those who traditionally and sincerely believe that the French are vicious in proportion as they are polite, since honesty must of necessity be 'rugged.'

Such people have no sympathy with the theory that the way you behave reacts upon the way you feel. They will, perhaps, admit that if you do a definite service for some one, you are more apt to feel kindly toward him, but it has never occurred to them to go further and admit that if you behave

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courteously, it makes you feel more courteous inside; that if you go to meet a person as if you were glad to see him, it makes you actually feel more glad; that if you kneel, it may make you actually feel more reverent. If it did occur to them, they would repudiate it as sanctioning hypocrisy. Why it should be more hypocritical to speak pleasantly and with deference to people whom you do not care for than it is to give soup or coal to other people whom you do not care for, they could not, perhaps, fully explain.

Perhaps this attitude is not quite as unreasonable and unlovely as I am making it appear. I am stating it a little perversely, to make my point clear. As a matter of fact, New England is not alone in admiring blunt honesty and rugged virtue, and in distrusting a smooth exterior. It was not a Puritan who said that a man might smile and smile and be a villain. Yet, when New Englanders quote this, they forget that the particular villain in question was the only smiling one the master created. Did he realize, instinctively, perhaps, that to smile and smile and still be a villain a man must be an arch-villain indeed?

At all events, these traditions have found in New England a soil of peculiar richness, and they have flourished exceptionally well. Without any explicit assertion that to bow is vice and to smile is villainy, there has often seemed to be an instinctive feeling that the truly honest and high-minded will not stoop to garnish their lives with such trumpery trimmings.

Now it should of course be remembered that people's principles never have quite the influence that we might expect them to have. Human nature is an imperfectly unified conglomerate, shot through here and there by a ray of principle — if one may use the word 'ray' of that which seems so often to darken rather than illumine. Principles are nothing in themselves. They have to be held by particular persons, and they are held in all sorts of ways. Some carry their principles as certain folk do horse-chestnuts, — in their pockets, as a specific against disease, — and then go along much as if they were not there. Others wear them like a garment; but there were, proverbially, many ways of wearing the toga. Others again give their principles a more intimate reception. But in such intimacy the influences are reciprocal; often, by the time a principle had penetrated through a temperament it would not know its own countenance.

So with the New Englander. It is not in every individual that the New England tradition has had its perfect work. I know many in whom it has not. I know some in whom it has — people of unflinching honesty, of clear integrity, of real benevolence, whose manners are distinctly grim, and whose feelings of affection and devotion, deep and strong as they are, find no habitual expression in ways of pleasantness. On the other hand, there is in New England a body of people, equally belonging to it, who have not shared this distinctively Puritan tradition.

In almost every New England town, while there are many Nonconformist churches, — Presbyterian and Congregational and Baptist and Methodist, — there is usually also one Episcopal church. It is often the littlest one, it is almost always the prettiest. The others are stern and uncompromising — four walls and a roof, windows and a door, and perhaps a steeple for the bell. The best of them have, in their own way, a very real distinction. But the little Episcopal church has something different. Shall we venture to call it charm? It nestles beside the village street with a cosy air, it encourages vines to grow over it. It is

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pleasant and propitiatory and adaptable in every line. And within, the congregation and those who lead in the service, have usually something of this same quality. Voices are a little less strident, manners are a little more gracious, than in the other churches.

I knew a young man who claimed that he could tell an Episcopalian by her hats. This, I think, is going too far. I should dislike to predicate of any denomination the eccentricities patent in most women's hats. But, taken in moderation, there is something in it. Of course, there are exceptions: not all Episcopalians have pleasant voices, nor all Presbyterians nasal ones. Especially in the cities, where the church influence is but a tiny strand among a multitude woven into each life, all such differences tend to disappear. And even in villages, I have seen Episcopal churches as ugly as the worst of the Nonconformist, and I have seen Presbyterian churches that were — well, they were by strangers persistently mistaken for the Episcopal.

Yet it seems to me not unnatural that this difference, typically, should exist. For the Nonconformists deliberately broke with a tradition that had its own ripe beauty. They distrusted charm. They saw an antagonism between beauty and truth. They avoided the ways of pleasantness. They felt that conventions and convictions could not dwell together. In all this there was gain and there was loss. And when, as all rebels against convention inevitably do, they erected their own conventions, these were relatively stern and barren, and a little ungracious.

All this while I have spoken of New England, which is a small part of the United States. But the West, so far as it is not foreign, was settled from New England or from the South, and its pioneer past is nearer by many generations than our own, so that other elements enter into the question of manners. The South, again, is preponderantly Episcopal — at least the South that we usually think of. And this South has, so far as I know, not had its manners often called in question. Whether this is a mere coincidence, or whether its Episcopacy has really been a contributing cause, I cannot say.

In any case, this is not a defense of Episcopacy nor an arraignment of Nonconformity. It is a study of possible tendencies involved in two rather different attitudes toward life. Each is beset by dangers, each achieves its characteristic victories. The sins of Nonconformity are the sins of presumption and intolerance, the sins of ritualism are the sins of formalism and indifference and superficiality. The virtues of the one are those of independence and honesty and devotion; the virtues of the other are those of tolerance and deference and kindness. It is, to some extent, the individual virtues contrasted with the social virtues.

But all of these are good, all are necessary to society, and the pity is that they have not always been able to live together companionably; that one set should drive out the other. Perhaps it does no harm to remind ourselves that these two attitudes are not the only possible ones. As interpretations of life, Nonconformity and Episcopacy can learn from each other, and the outcome may conceivably be something better than either.

A MENTAL TELEPHONE INDEX

INABILITY to remember telephone numbers had long been one of my special weaknesses until lately I discovered a method for bringing these refractory data into mnemonic subjection. For the benefit of others who may be similarly afflicted, I take the liberty

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of laying my discovery before the Contributors' Club.

Be it confessed at the outset that, as a professor of history, I am popularly and officially supposed to be possessed of a memory which rejoices ostrich-like in the deglutition and assimilation of miscellaneous junk-information; but that actually it is only by dint of heroic efforts and constant repetition that I have succeeded in memorizing a sufficient supply of dates and data to conceal my natural defect in this line. Owing to the lack of such an official incentive to master telephone numbers, they have hitherto, as before stated, remained outside my realm of knowledge; so that even for the numbers most used I have been forced either laboriously to thumb over the telephone book, or else to find, after the somewhat vexatious formalities of getting the connection from the exchange, that I am cut off at the very start of my message, or inquiry, with the gruff or politely-sweet rejoinder: 'You've got the wrong number.'

Now that I have discovered my new system, I can always blame such mishaps on the carelessness of the telephone girl, and not on my own stupidity — a thought which is unction to my soul. Really it is very simple, when once you know how. All the manuals of mnemonics tell us (I have been obliged myself to traverse the dreary mazes of several of them) that the secret of memory lies in the association of ideas; you make the old acquisitions help you in conquering the new. What I have done, therefore, is merely to harness my laboriously-acquired knowledge of dates to the hitherto unsubjected list of necessary telephone numbers; and you can have no idea how beautifully it works.

To illustrate, I long had difficulty in remembering my own telephone number, which is 1085, and often when asked for it have been obliged to stammer, 'Oh, — Why, — To tell the truth, I've forgotten it for the moment'; and then have had my questioner go off wondering what sort of creature I am. Under my new system, I am saved from this humiliation. I merely have to remember that my telephone call is the death of Gregory VII, and at once I know that it must be 1085. Similarly, when calling up the instructor who has charge of our elementary course in European history, I need only think of the defeat of the Franks by the Burgundians at Véséronce, and I have his number, 524. The professor who gives our courses in ecclesiastical history appropriately has for his telephone the number 313, the date of the edict of toleration issued by Constantine and Licinius; and the one who gives the courses in Anglo-Saxon literature has 659, which marks the recovery of independence by Wulfhere, the first Christian king of Mercia. For the head of the Latin department I think of the incorruptible Cæcilius Metellus turning the tide in the troublesome war with Jugurtha, and call 109; while the victory of Alexander at Arbela, 331, gives me the number of the professor of Greek.

Sometimes, however, there is a rather perverse contradiction between the date-association and the person whose telephone number it happens to be. Of all incongruous things, our professor of Fine Arts, who by nature and training is a living protest against dry-as-dust history, has for his call number 1297, the date of Edward I's Confirmation of the Charters; and his assistant professor has for his, 1295, the scarcely less inappropriate date of the Model Parliament of the same king. One of the thinnest members of our faculty answers to the call 885, the date when Charles the Fat reunited the empire of Charles the Great. Matters are not quite so

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bad in the department of French, for there I have merely to reverse the telephone number of the head of the department (789), and I get the accession of the Capetian house in France (987); while for his associate I can add a century to his call (811) and get the quite appropriate number 911, the date of Duke Rollo's investiture with the province of Normandy.

The list might be extended much further, but the instances which I have given will suffice to make clear the principle of procedure. Of course, if our telephone companies would only be reasonable and begin the numbering of telephones with 1500 (or better still perhaps, 1492), when things of importance really began to happen, it would make the matter of date-association much easier; but, even as it is, I find the method one of decided efficacy, and can heartily recommend its adoption to all persons who may be afflicted, like myself, with a natural incapacity for remembering numbers.

MY POSSESSION

It was last October; the new magazine had arrived at this far-away ranch in Southern California, and, after a quick scanning of its welcome pages, had been put aside for days, awaiting the rare hour in a ranch-woman's life when the work, not finished, is yet slack enough to be left and forgotten. The time came at last. Perhaps the work was not as slack as it should have been, but it was time to forget it, at any rate, and I hastened away from it out-of-doors, with the book in my hand. Climbing higher on the hill above the house, I sat down to read.

Immediately, I was lost to every surrounding, even to the insistency of children's voices, and often, as I read, my face widened with a smile of delight, or lengthened with a reflected pathos; or again, I regret to say, remained a mere blank of uncomprehension! But out of all the good things I read that morning, and they were many, there was one page of which I wish to tell. In 'A Possession,' that bit of prose-poetry by Fannie Stearns Davis,[1] I found a message which filled me with a sudden responsive joy in my own possessions. I raised my eyes from those lines so full of discoverable beauty, with a new vision. The monotony of the day's work was forgotten; the 'sameness of rolling hills, and sunny valley, and high mountains,' had disappeared; and sitting there in the sunshine, which is mine all the year round, I realized the wealth of my possessions.

I felt the nearness of friends in books; the companionship in the laughter of children at play, and in the sound of the voices of men at work; and the splendor of the wide scene before me. The beauty and the happiness of my day rose before me. I thought of the early mornings in these great, bare hills, before the sun has risen high enough to shine down on our western slopes; of the sweet, damp fragrance. Then of dead grass and sage-brush stirring lightly in the breeze that comes just before the sunrise; the silence of the wide valley below, still in shadow, where far out in the middle lies a sleepy little town nestling close to the railroad station. From the blue distance of the north to the rosy ending in the south extends the river which gives the valley its name. There is no water to be seen in October, but patches of white sand showing through willow clumps indicate its course. On the other side, high above the valley, rise mountains which are touched by the first light of morning. Their lower 'benches,' covered with yellow-brown stubble-fields, reach upward into the dark chaparral of the

[1] In the *Atlantic*, for October, 1911.

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higher slopes, giving an ethereal, floating sense of beauty as they lie in the changing pink and purple and gold of sunrise.

All about me is the great silence of treeless, birdless hills, broken only by the tinkling of bells as the flock of goats leaves the corrals below to climb steep hills in search of the day's feeding of dry bunch-grass, which is scant enough after the summer, and they must range far to find it. As they climb, the first sunbeams stream down over their backs, and they, and the herder with his knapsack and long stick, and the busy shepherd dog, disappear into the golden light of the hilltop.

Then the long silence of the morning, and the full sunshine of noon-time, when there is no relief on mountain or valley or hillside from the glare of the sun. All the warm air is filled with the scent of tar-weed. Moving drowsily along the wide white road is the old wagon and horses of a mountain rancher who has come down for provisions, bringing with him a load of rough oak wood. The dust rises from the lagging feet of the horses and falls back thick and smothering. On both sides of the road stretch barbed-wire fences as far as can be seen. There are no trees anywhere, — only the dusty tar-weed, and thin-stubbled fields of the level valley. No sign of life but the scurrying of startled squirrels.

Then, in a sudden gust, comes the regular afternoon wind, rushing unimpeded through the long valley and carrying with it the white river sand, high in the air like a curtain between the two mountains. It sweeps along the roads, pushing before it clouds of dust and bunches of dead weeds torn from the ground. Pitilessly it assaults the long-suffering little town, with its ragged row of saloons and stores facing the railroad track, tearing out any forlornest hope of a garden, and battering the few old wind-swept trees.

When at last the wind dies down, and the dry grass stands upright again, and the great silence is restored, it is evening. The shadow of the western mountain creeps visibly across the valley till it touches the foot of these silvery-tan hills; and now, lifted out of their noontime commonplaceness, they stand as in a flood of light poured through windows stained amethyst, — their very bareness lending itself to the purer reflection of jewel-like color. In a place too easily named 'God-forsaken,' I have wondered rather, whether He does not pause here sometimes, far from the sins and strivings of men; for there is a lingering glory of light and color, now, that is unearthly in its significance, while the hills stand breathless as if receiving the benison of His presence. Then slowly and tremulously rises the great earthly shadow until the light is gone, and the hills rest in the quiet gray of twilight.

Down the steep hillside the flock is returning; hundreds of sure-footed goats, with their long, silky hair almost touching the ground, following the narrow trails worn by their ancestors. As they hurry downward, companies of them scampering ahead, or stopping suddenly to browse, they look like a field of grain in a summer wind. The old herder, going on before, opens the gates for them, and then disappears into his cabin where the wife has a hot supper waiting. The tired dog stretches himself on the ground near the door, patiently waiting his turn to eat.

In the kitchen of the ranch-house on the hill above, there is the confusion of children's happy voices; the cheerful tramping of men's feet on the bare floor; the appetizing sounds of a supper in preparation. The table, covered with white oil-cloth, and serving in turn for reading or writing or eating, is laid

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for the meal and lighted by a small lamp displaying a pictured card-board shade. There are no luxuries here save those of farm products, but appetites are healthy, and there is abundance to supply the need. The talk is not always of widespread interests, but 'concerns of the particular hearth and home,' joined in merrily by all, with frequent interruptions of irrepressible children; and often the board walls ring with hearty, wholesome laughter — for we are young, and fun may be had for the laughing!

It is long before the evening work is over and children's voices hushed. Then, if heads and backs are not too weary, books are brought from the shelf in the corner, or there is music sung or played by those who can never know the pleasure they give to their unseen listeners.

Outside, the cool night air is sweet with the scent of wild things. There is no sound but the occasional tinkle of a bell in the flock below, and the soft breathing of the sleeping hills — or is that the wind, far up in the cañon? From out in the valley comes the distant whistle of a train, bringing with it the thought of the bright, outside world, until its long line of lights disappears into the darkness and we are left again in the quiet of the night — but not alone, for in the hovering of the close, thick stars I know that God is near.

And this is the day which I possess. I have been given a better understanding of it; I have been taught that the secret of a lasting joy in the steady realization of the good is mine.

If it is the mission of the poet to give and to teach, it is my part, listening, profiting, to render thanks — and I do!

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